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OF

THE SENATE

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OF THE

COMMONWEALTH OF VIRGINIA

BEGUN AND HELD AT THE CAPITOL

IN THE CITY OF RICHMOND,

ON

WEDNESDAY, DECEMBER 4, 1895,

BEING THE ONE HUNDRED AND NINETEENTH YEAR OF THE COMMONWEALTH.

RICHMOND:
J. H. O'BANNON, SUPERINTENDENT PUBLIC PRINTING.
1895.

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SENATE JOURNAL.

WEDNESDAY, DECEMBER 4, 1895.

The Senate met at 12 M., and was called to order by Lieutenant-Governor R. C. KENT.

Prayer by Rev. George Cooper, D. D.

The following communication was received from the Secretary of the Commonwealth, transmitting list of Senators elect:

RICHMOND, VA., December 4th, 1895.

To the Honorable, the Clerk of the Senate:

SIR:

As required by law, I herewith respectfully transmit a list of the members-elect of the Senate for the term beginning this day, as ascertained by the Board of State Canvassers at their meeting held November 25th, 1895, the official record of which is on file in my office.

Respectfully,

J. T. LAWLESS,
Secretary of Commonwealth.

Second District—Scott, Lee and Wise—Henry S. Kane.
Fourth District—Montgomery, Craig, city and county of Roanoke—M. H. Claytor.
Sixth District—Carroll, Grayson and Patrick—E. Parr.
Eighth District—Rockingham—George B. Kezzell.
Tenth District—Shenandoah, Frederick and city of Winchester—J. G. McCune.
Twelfth District—Clarke, Page and Warren—E. H. Jackson.
Fourteenth District—Alexandria, Fairfax, Prince William and city of Alexandria—George A. Mushbach.
Sixteenth District—Powhatan, Goochland, Chesterfield and city of Manchester—William M. Flanagan.
Eighteenth District—Buckingham, Fluvanna and Appomattox—Henry Delaware Flood.
Twentieth District—Campbell and city of Lynchburg—Adam Clement.
Twenty-second District—Bedford—H. C. Lowry.
Twenty-fourth District—Pittsylvania, city of Danville and town of Neapolis—Eugene Withers.
Twenty-sixth District—Franklin and Floyd—W. H. Hale.
Twenty-eighth District—Lunenburg, Nottoway and Brunswick—Robert Turnbull.
Thirtieth District—Amelia, Cumberland and Prince Edward—Joseph W. Southall.
Thirty-second District—Southampton, Isle of Wight and Nansemond—R. E. Boykin.
Thirty-fourth District—Hanover and Caroline—H. T. Wickham.

Thirty-sixth District—King George, Richmond, Westmoreland, Northumberland and Lancaster—J. E. Mason.

Thirty-eighth District - Elizabeth City, Warwick, York, James City, Charles City, New Kent, King William and city of Williamsburg—Manly H. Barnes.

The following have been elected to fill unexpired terms:

Nineteenth District—Amherst and Nelson—J. Thompson Brown.

Thirty-first District—Norfolk city and Princess Anne—George T. Snead.

The roll was then called, and the following Senators answered to their names:

Messrs. Manly H. Barnes, R. E. Boykin, J. Thompson Brown, B. F. Buchanan, M. H. Claytor, Adam Clement, Edward Echols, Henry Fairfax, W. M. Flanagan, H. D. Flood, W. H. Hale, James Hay, E. H. Jackson, G. W. Jackson, Charles P. Jones, W. I. Jordan, Henry S. Kane, George B. Kezzell, George W. LeCato, William A. Little, Jr., William Lovenstein, Henry C. Lowry, J. E. Mason, H. L. Maynard, J. G. McCune, W. B. McIlwaine, George W. Morris, George A. Mushbach, Edmond Parr, Conway R. Sands, George T. Snead, Joseph W. Southall, Alexander St. Clair, James N. Stubbs, James L. Tredway, Robert Turnbull, Henry T. Wickham, T. N. Williams, Eugene Withers.—39

On motion of Mr. LOVENSTEIN,

Resolved, That the rules for the government of the Senate shall be the rules adopted by the session of 1893-'94.

They are as follows:

I.

ATTENDANCE AND ADJOURNMENT.

1. No member shall absent himself from the service of the Senate without leave, unless he is sick or unable to attend.

2. A majority of senators shall be necessary to proceed to business; five may adjourn, and nine may order a call of the Senate, send for absentees, and make any order for their censure or discharge. On a call of the Senate, the doors shall not be closed against any senator until his name shall have been once enrolled.

3. When the Senate adjourns each day, every senator shall keep his seat until the President leaves his seat.

II.

THE PRESIDENT.

4. If any question be put upon a bill or resolution, the President shall state the same without argument.

5. The President may call any senator to the chair, who shall exercise its functions for the time; but no senator, by virtue of such appointment, shall preside for a longer period than three days.

6. At the commencement of each session the Senate shall elect four pages, who shall receive for their services two dollars per day each.

III.

THE CLERK.

7. The Clerk of the Senate shall not suffer any records or papers to be taken from the table or out of his custody by any person except a chairman of a committee; but he may deliver any bills or papers, directed to be printed, to the superintendent of public printing, or to any senator, on taking his receipt for the same.

8. The Journal of the Senate shall be daily drawn up by the clerk, and shall be read the succeeding day; it shall be printed under the supervision of the clerk, and delivered to the senators without delay.

9. The Clerk of the Senate shall appoint a first assistant and a second assistant clerk, and five committee clerks, not more than one of whom shall be appointed from the same congressional district. One of the committee clerks shall be clerk of the committee on roads and internal navigation, and of agriculture, mining, and manufacturing; one of the committee on general laws, and of privileges and elections; one of the committee for courts of justice, and on public institutions and education; one of the committee on finance and banks; one of the committee on county, city, and town organizations, and on fish and game. The clerks so appointed shall remain in the capitol during the sessions of the Senate, and shall perform any duties that the other standing committees may require, when not employed by their respective committees, and the clerk of the Senate may also require said clerks, when not employed by the standing committees, to assist in engrossing bills or aid him in the Senate chamber when necessary. The said clerks shall be removable by the clerk of the Senate, or by the committees of which they are clerks. The second assistant clerk, who shall act as clerk of the committee on education, shall receive the same compensation as a clerk of a committee.

10. Before reading each bill the clerk shall announce whether it is the first, second, or third time of reading the bill.

11. The clerks of the Senate and House of Delegates may interchange messages at such times between the hour of adjournment and that of meeting on the following day as that the said messages may be read immediately after the orders of the day.

12. The clerk of the Senate shall, at each session, have printed and bound with the manual of rules, &c., the Constitution of Virginia, for the use of the senators.

IV.

SERGEANT-AT-ARMS AND DOORKEEPER.

13. No senator shall be taken into custody by the sergeant-at-arms on any complaint of breach of privilege until the matter is examined by the committee of privileges and elections and reported to the Senate, unless by order of the Senate.

14. It shall be the duty of the doorkeeper of the Senate to preserve, in chronological or numerical order, a copy of every printed document distributed in the Senate, and to deliver the same at the close of the session to the clerk of the Senate, whose duty it shall be to have them bound and preserved in his office for the use of this body.

15. In order to prevent interruption of the business of the Senate, the doorkeeper shall be constantly at his post during the sessions of the Senate, and shall admit within the chamber no person except officers of the government of this and any other State, and of the United States; members and ex-members of Congress and House of Delegates; their officers; ex-members of the Senate of Virginia; ministers of the gospel and reporters of the proceedings of the Senate; but ladies and their escorts may be assigned privileged seats. It shall be the duty of the doorkeeper to show all persons not entitled to privileged seats to the gallery. It shall be his duty, when any person desires an interview with a senator or the President, or the clerk of the Senate, to send a messenger to him, and such person may be admitted to one of the privileged seats, if so invited by either of them. And the President of the Senate shall, moreover, be permitted to invite to a seat near the chair any person he may deem worthy of such distinction.

V.

COMMITTEES.

16. At the commencement of each session the following committees shall be elected:

I. A committee of privileges and elections, to consist of not less than seven nor more than ten senators.

II. A committee for courts of justice, to consist of not less than seven nor more than eleven senators.

III. A committee on general laws, to consist of not less than seven nor more than eleven senators.

IV. A committee on roads and internal navigation, to consist of not less than seven nor more than thirteen senators.

V. A committee on finance and banks, to consist of not less than seven nor more than thirteen senators.

VI. A committee on public institutions and education, to consist of not less than seven nor more than thirteen senators.

VII. A committee on county, city, and town organizations, to consist of not less than seven nor more than ten senators.

VIII. A committee on agriculture, mining, and manufacturing, to consist of not less than seven nor more than ten senators.

IX. A committee on fish and game, to consist of not less than seven nor more than ten senators.

X. A committee on enrolled bills, to consist of not less than seven nor more than nine senators.

The following committees shall consist of three senators, viz :

To examine the office of Clerk of the Senate.

On Rules.

On the Library.

On Executive Expenditures.

To examine the office of Auditor of Public Accounts.

To examine the Second Auditor's office.

To examine the Treasurer's office.

To examine the office of Register of the Land Office.

To examine the Bonds of Public Officers.

On the Public Printing.

17. The standing committees shall be elected by the Senate, unless the Senate direct otherwise, and the senator first named by the President shall be the chairman, unless the committee direct otherwise.

18. The several committees shall, in all cases, report whether other cases comprised within the principal of the matter referred may arise; and if a bill be ordered, it shall provide for all such cases; and upon any matter referred, the committee shall have power to report by bill.

19. Select committees shall consist of not less than three nor more than nine senators, unless the Senate direct otherwise.

20. The committee of privileges and elections shall examine the oaths taken by each senator and the certificate of election furnished by the proper officer, and report thereon to the Senate.

21. The committee of privileges and elections shall report in all cases of privileges or contested elections the principles and reasons on which their resolutions are founded.

22. The committee on finance and banks shall, at each session, examine into the indebtedness of the Commonwealth, the revenues and expenditures of the preceding year, and prepare an estimate of the expense of the succeeding year, and make such report thereon as they may deem proper.

23. The committee on general laws shall, at each session, examine into the state and manner of administration of the literary fund, and make such report thereon as they may deem proper.

24. To the committee on general laws shall be referred all resolutions and bills concerning the militia, private claims, propositions and grievances, and other matters of a general nature not properly referable to any other standing committee.

25. To the committee on public institutions and education shall be referred all bills and resolutions concerning education, the penitentiary, lunatic asylums, the institutions for the deaf and dumb and blind, the armory and other public property at the seat of government. And it shall be the duty of the said committee to examine at each session into the condition of the penitentiary, and make such report thereon as they may deem proper. Neither said committee, nor a sub-committee thereof, shall visit any public institution outside the city of Richmond, without leave of the Senate first authorized and obtained.

26. To the committee on agriculture, mining, and manufacturing shall be referred all bills, resolutions, and petitions concerning agriculture, mining, manufacturing, commerce, and mechanic arts.

27. The committee to examine the clerk's office shall see that all papers belonging thereto are properly filed, labeled, and put away in the presses, and that the books belonging to the office are chronologically arranged, and shall make an annual report thereof to the Senate.

28. When a bill seeking relief or for an act of incorporation is referred to a standing committee of the Senate, the committee shall examine whether the object can be obtained by application to the courts under the general laws; and if so, it shall be the duty of the committee to report that it shall not pass, unless there be special reasons for its consideration by the General Assembly. And no variation of maximum capital or quantity of land which the courts are authorized to empower corporations to hold, not shown to be indispensably necessary to the object of the corporations, shall be deemed by the committee as exempting the bill from the operation of laws conferring on the courts the power of granting charters or affording relief.

29. The President of the Senate, the President *pro tempore*, and the chairman of the committee on privileges and elections shall constitute a standing committee on rules, to whom all resolutions amending or altering the rules of the Senate shall be referred; and said committee shall report such amendments to said rules as in their judgment are necessary and proper.

30. A majority of any committee shall constitute a quorum.

VI.

ORDER OF BUSINESS.

31. After reading the journal, one hour, to be called the "morning hour," shall be devoted as follows:

I. To dispose of communications from the House of Delegates and the executive.

II. To receive reports from standing committees (for which purpose they shall be called by the clerk.)

III. To receive reports from select committees.

IV. To receive resolutions, petitions, and bills, on leave.

32. At the expiration of the morning hour the Senate shall proceed to the consideration of the calendar as follows:

I. The unfinished business of the preceding day.

II. Bills and resolutions in the order in which they stand on the calendar.

33. When a bill or resolution of the House of Delegates is passed or rejected by the Senate, it shall remain under the control of the Senate for the space of two days, and the fact of the passage or rejection, with the bill or resolution, shall then be communicated to the House of Delegates, unless otherwise ordered.

34. All bills or other business originating in the Senate shall be dispatched in the order in which they are introduced, and all bills and resolutions sent from the House of Delegates shall be dispatched in the order in which they are sent, unless in either case the Senate direct otherwise.

35. All bills originating in the Senate shall be read on three separate days, and in case they be of a general nature they shall be printed after their first reading.

36. Bills and resolutions originating in the House of Delegates, and not requiring immediate action, shall be read the first and second times when received, and referred to the appropriate committees, unless the Senate direct otherwise.

37. A bill presented by a senator, by leave of the Senate, may be committed before its first reading; but no bill reported from a committee of the Senate shall be recommitted or amended until it has been twice read, nor shall any bill be amended after its third reading, except by the unanimous consent of the Senate.

38. Joint resolutions originating in the Senate shall lie on the table one day at least, unless otherwise ordered.

39. The yeas and nays on any question shall, at the desire of five senators, be entered on the Journal. After the yeas and nays shall have been taken, and before they are counted or entered on the Journal, the clerk shall read over the names of those who voted in the affirmative and of those who voted in the negative, at which time any senator shall have the right to correct any mistake committed in enrolling his name.

40. Upon the determination of a question any senator may enter his protest upon the Journal, with the consent of one-third of the senators present; and on the question, "Shall the protest be entered on the Journal?" no privileged motion shall be in order except to adjourn.

41. Whenever the Senate proceeds to consider any nominations of the governor which are subject to the choice or ratification of the Senate, the same shall be considered in executive session, with closed doors, and the proceedings thereon shall be in secret, unless the injunction of secrecy be removed by a vote of the Senate.

42. A motion to take from the table shall not be in order unless the bill, resolution, or other matter proposed to be taken up would be appropriate for consideration under the order of business then in hand, as prescribed by rules 31 and 32.

VII.

ORDER AND DECORUM.

43. While the President is reporting or putting any question, or the clerk is reporting a bill or calling the roll, or a senator is addressing the chair, strict order shall be observed.

44. If words be spoken in debate that give offence, exceptions thereto shall be taken the same day, and be stated in writing; and in such case, if the words be decided by the President or by the Senate, upon an appeal, to be offensive, and they be not explained or retracted by the senator who uttered them, he shall be subject to such action as the Senate may deem necessary.

VIII.

ASCERTAINING THE QUESTION.

45. A motion for a second reading, and a motion for committing the bill, may be submitted at the same time; but the question upon these motions shall be put separately, if required by any senator.

46. Any senator may call for a division of the question, which shall be divided if it comprehend propositions so distinct in substance, that one being taken away, a substantive proposition shall remain for the decision of the Senate; and a motion to strike out being lost, shall preclude neither amendment nor a motion to insert, nor a motion to strike out and insert.

47. When a question is pending, no motion shall be received but to adjourn, to pass by the pending question, for the previous question, to lie on the table, to postpone indefinitely, to adjourn the question to a different day, to commit, or amend; which several motions shall have precedence in the order in which they are arranged.

IX.

THE PENDING AND PREVIOUS QUESTIONS.

48. Upon a motion for the pending question, seconded by a majority of the senators present, indicated by rising or by a recorded vote, the President shall immediately put the pending question; and all incidental questions of order arising after a motion for the pending question is made, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

49. Upon a motion for the previous question, seconded by a majority of senators present, indicated by rising or by a recorded vote, the President shall immediately put the question, first upon amendments in the order prescribed in the rules, and then upon the main question. If the previous question be not ordered, debate may continue as if the motion had not been made.

X.

TAKING THE VOTE.

50. Every senator present, when any question is put or vote taken, shall vote or be counted as voting on one side or the other; but no senator shall vote on a question in the event of which he is immediately or personally interested.

51. Every question shall be first put in the affirmative, and then in the negative, and the President shall declare whether the yeas or nays have it; which declaration shall stand as the judgment of the Senate, unless a senator call for a division, in which event the President shall divide the Senate.

52. When the yeas and nays are ordered, or a call of the Senate is directed, the names of the senators shall be called in alphabetical order.

53. No senator shall be allowed to vote unless he be present within the chamber at the time the Senate is being divided, or before a determination of the question upon a call of the roll.

XI.

DEBATE.

54. When any member is about to speak in debate, or deliver any matter to the Senate, he shall arise from his seat, and without advancing, with due respect address "MR. PRESIDENT," confining himself strictly to the point in debate, and avoiding all disrespectful language.

55. No member shall speak more than twice on the same subject, without leave of the Senate; nor more than once, until every member choosing to speak shall have spoken.

56. No question shall be debated until it has been propounded by the President, and then the mover shall have a right to explain his views in preference to any senator.

57. When the President is putting a question, any senator who has not spoken before to the matter may speak to the question before the negative is put.

58. During any debate, any senator, though he has spoken to the matter, may rise and speak to the orders of the Senate, if they be transgressed, in case the President does not; but if the President stand up at any time, he is first to be heard, and while he is up, senators must keep their seats.

59. No senator shall be allowed to be interrupted while speaking, except on points of order, to correct erroneous statements, or to answer any question that may be propounded by the senator speaking.

60. Motions to adjourn; lay on the table; for the pending question; for the previous question; to suspend the rules; to take from the table; to take up orders of the day; to close debate; to limit debate; to extend limit of debate; to read papers; to reconsider questions not debatable, shall not be debated; but upon a motion to suspend a rule, or to take from the table, to lay on the table, or take up orders of the day, the mover shall be allowed five minutes to state the reasons for his motion, and one member opposed to the motion shall be allowed a like time to object. And when a question not debatable is before the Senate, all incidental questions arising after it is stated shall be decided and settled, whether on appeal or otherwise, without debate; and the same rule shall apply to all incidental questions arising after any question is put to the house.

XII.

RECONSIDERATION.

61. A question being once determined must stand as the judgment of the Senate, and cannot, during the same session, be drawn again into debate. No motion to reconsider a question which has been decided, shall be entertained, unless it be made by a senator voting with the prevailing side, nor unless made on the same day on which the vote was taken or within the two next days of actual session of the Senate thereafter: provided, however, that when any question is decided in the negative, simply for the want of a majority of the whole Senate, any senator who was absent from the city of Richmond or detained from his seat by sickness at the time of the vote sought to be reconsidered, may move its reconsideration.

XIII.

PETITIONS.

62. No petitions of a private nature, having been once rejected, shall be acted on a second time, unless it be supported by new evidence; nor shall any such peti-

tion, after a third disallowance, be again acted on. The several clerks of committees shall keep alphabetical lists of all such petitions, specifying the session at which they were presented and the determination of the Senate thereon, and shall deliver the original petition to the clerk of the Senate, to be preserved in his office.

63. No petition shall be received claiming a sum of money or praying the settlement of unliquidated accounts, unless it be accompanied with the certificate of disallowance from the executive or auditor containing the reason why it was rejected. But this order shall extend to no person applying for a pension.

64. When any such petition, or bill founded on one, is rejected, such petition shall not be withdrawn; but the petitioner, or senator presenting his petition, or any senator from the county or corporation in which the petitioner resides, may, without leave, withdraw any document filed therewith, and a list of all documents so withdrawn shall be preserved by the clerk. All petitions not finally acted on may, with the accompanying documents, be in like manner withdrawn after the expiration of the session at which they were presented.

65. No petition shall be read in the Senate unless particularly requested by some senator; but every senator presenting one shall announce the name of the petitioner, nature of the application, and whether, in his opinion, a similar application had been before made by said petitioner. He shall also endorse on the back of the petition his own name as a pledge that it is drawn in respectful language; whereupon it shall be delivered to the clerk, by whom it shall be laid before the proper committee.

XIV.

MANUAL AND RULES.

66. The rules of the Senate shall not be suspended except by a vote of two-thirds of the senators present, to be ascertained by an actual division of the Senate.

XV.

CONSTRUCTION OF RULES.

67. In the construction of the foregoing rules, reference shall first be had to Jefferson's Manual and the Digest of the rules of the Congress of the United States.

The President announced that the next business in order was the election of officers of the Senate; whereupon,

Mr. JAS. N. STUBBS nominated as President *pro tempore* of the Senate, Mr. WM. LOVENSTEIN.

There being no further nominations, the roll was then called, with the following result:

For William Lovenstein, - - - - 38

Senators who voted for WILLIAM LOVENSTEIN, are—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Hale, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lowry, Mason, Maynard, McCune, McLwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Williams—38.

Mr. LOVENSTEIN having received all the votes cast, was declared duly elected President *pro tempore* of the Senate.

The next business in order being the election of Clerk of the Senate,

Mr. FLOOD nominated for that office Joseph Button of Appomattox county.

There being no further nomination, the roll was called with the following result:

For Joseph Button, - - - 37

Senators who voted for JOSEPH BUTTON, are—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flood, Hale, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Williams—37.

JOSEPH BUTTON having received all the votes cast, was declared duly elected Clerk of the Senate for the ensuing term.

The next business in order being the election of a Sergeant-at-Arms of the Senate,

Mr. WILLIAMS nominated for that office F. B. Watkins, of Charlotte county.

There being no further nomination, the roll was called with the following result:

For F. B. Watkins, - - - 36

Senators who voted for F. B. WATKINS, are—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Hale, E. H. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull Wickham, and Williams—36.

F. B. WATKINS having received all the votes cast, was declared duly elected Sergeant-at-Arms of the Senate for the ensuing term.

The Senate then proceeded to the election of a Doorkeeper.

Mr. LECATO nominated for that office L. J. Gunter, of Accomac county.

There being no further nomination, the roll was called with the following result:

For L. J. Gunter, - - - 35

Senators who voted for L. J. GUNTER, are—Messrs. Barnes, Boykin, Brown, Buchanan, Echols, Fairfax, Flanagan, Flood, Hale, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Williams—35.

L. J. GUNTER having received all the votes cast, was declared duly elected doorkeeper of the Senate for the ensuing term.

On motion of Mr. STUBBS,

Resolved, That the following be elected pages of the Senate:

Albert Woods, Edgar Whitehead, M. Parr, and Leroy M. Lee.

On motion of Mr. ECHOLS,

Ordered, That he inform the House of Delegates that the Senate is organized and ready to proceed to business.

A message was received from the House of Delegates by Mr. BRYANT, who informed the Senate that that house was organized and ready to proceed to business.

A message was received from the House of Delegates by Mr. COOKE, who informed the Senate that that house had agreed to the following joint resolution :

Resolved (the Senate concurring), That a joint committee, consisting of three on the part of the Senate and five on the part of the House, be appointed to wait on the governor and inform him that the General Assembly is now organized and ready to receive any communication that he may desire to make.

The resolution was taken up and agreed to.

On motion of Mr. STUBBS, it was

Ordered, That he inform the House of Delegates thereof.

The PRESIDENT appointed Messrs. STUBBS, JONES and G. W. JACKSON as the committee on the part of the Senate.

Subsequently, the committee, through its chairman, Mr. STUBBS, reported that they had performed the duty assigned them, and that the governor would forthwith communicate in writing.

The following communication was received from the governor; which, on motion of Mr. MUSHBACH, was laid on the table and ordered to be printed, and two hundred and fifty extra copies ordered to be printed for the use of the Senate :

GOVERNOR'S OFFICE,
RICHMOND, VA., *December 4, 1895.*

To the General Assembly:

In obedience to the requirements of the Constitution of Virginia, you have assembled to enact such laws as may, in your wisdom, be necessary to promote the welfare and advance the prosperity of the people whose sovereign will has made you their representatives.

I congratulate you upon the recovery, in great measure, of the Commonwealth from the long financial depression under which she has been suffering, the resumption of work in many of her industries so long closed, and the prospect of an early general revival of business and trade.

I congratulate you upon the general good health with which our borders have been blessed, and our freedom from serious epidemics and contagious which have afflicted other sections of our land.

You have before you ninety days for work, every available hour of which will be required for the faithful and intelligent discharge of your important duties.

My own long experience is that it is the rule with legislative bodies to delay, and only to enter earnestly upon their labors when compelled by the nearness of adjournment. It is in these last days of a session that ill-matured legislation occurs. I respectfully suggest, in the interest of the Commonwealth and people, that your honorable bodies depart from the usual custom

of procrastination and enter promptly upon the consideration of matters which may demand your attention.

CONSTITUTIONAL CONVENTION.

It is likely that the question of a convention to frame a new Constitution will be brought before you. With due deference to the sentiment which prevails, to some extent at least, in its favor, it is my opinion that a convention would be impolitic and involve an unnecessary expenditure of money.

So far as I am informed, the reasons advanced for a convention are, that the expenses of the State government could thereby be lessened by returning to the old system of county courts, reducing the number of circuit judges and superintendents of public free schools, abolishing the office of county treasurer and imposing the duties now performed by him upon the sheriff, and changing existing criminal laws in many particulars.

Let us consider them in their order:

First. A return to the old system of justices' courts.

In this there would be no economy, for the aggregate pay of the justices who constituted the county courts prior to the present Constitution was fully as much, I think, as the aggregate salaries of the county judges which are graded according to the population of the respective counties. Under the old system the county courts had no jurisdiction in felony cases except against free negroes, where the penalty was not death; and I do not suppose it is seriously proposed to confer such jurisdiction now, for if it was not considered wise when the justices were men of superior intelligence, it could not be at present. Under our enlarged suffrage and citizenship, it is a well-known fact that in certain sections of the State the justices in many instances are inferior in character as well as intelligence. Then, if felony cases are not to be tried in the county but in the circuit courts, speedy trials could not be had, and injustice would be done to the innocent and too tardy justice meted out to the guilty.

Second. Reduction of the number of circuit judges.

In my opinion nearly every judicial circuit in the State is as large as a proper regard for the administration of justice will admit. Though the population of the present territory of Virginia has greatly increased and business has grown immensely, we have about the same number of circuit judges as in the same territory in 1860, and the uniform salaries less now than then. If the circuit courts are to have original criminal jurisdiction in all felony cases, it must be admitted that the number of circuit judges would have to be increased. In fact, I think it would be infinitely better now to increase the number of circuits and the number of terms annually of the circuit courts, and confer upon the circuit courts exclusive original jurisdiction in felony cases. If this were

done, appeals would be directly to the Court of Appeals, and this would result in a more speedy determination of such cases and a large decrease of criminal expenses.

Third. Reduction of number of superintendents of schools.

The salaries of these officers, like the salaries of county court judges, are graded according to the population of their respective counties and cities. In the cities and larger counties the time of the superintendents is wholly occupied, if they do their duty; in the small counties they are not continuously engaged, but, if additional labor is imposed, additional compensation should follow. The salaries are as low as they can be to secure well qualified and efficient officers, and the people demand the best system attainable and will not tolerate any change which may tend, in the most remote degree, to impair or weaken the system or place it in the hands of incompetent or inefficient superintendents.

Fourth. Abolishment of the offices of county and city treasurers.

State, county and city taxes are collected upon commissions. If the offices of county and city treasurers are abolished, and the duty of collecting the revenues imposed upon the sheriffs, there will simply be a change of persons without any saving, unless the commissions are reduced. Should this be done? I think not. The responsibilities are great and fine business qualifications are required, and if the emoluments are inadequate, it will be difficult to induce proper persons to accept the positions, and the Commonwealth may suffer in the collection of her revenues. Besides, the sheriffs have generally enough to engage them in serving civil process, enforcing executions, arresting offenders, attending the sessions of the courts and performing the duties which belong peculiarly to their offices. Again, with the taxes to collect and executions to enforce, the sheriffs would hold a power which might prove to be dangerous.

Fifth. Criminal expenses.

That the criminal expenses of the State are too heavy must be admitted; that they should be carefully considered and the pruning-knife applied whenever it can be done with due regard to the enforcement of the laws, the preservation of order and the demands of justice cannot be questioned.

But this, as well as the proposed changes before mentioned, can be accomplished, if desired, either by legislative enactment or by the people by amendment to the Constitution—either a safer and much less expensive mode than a constitutional convention.

STATE VALUATIONS.

A general reassessment of the lands of the Commonwealth being required this year, it was feared there would be a considerable reduction in values and a consequent falling off in the revenues. This apprehension gave me deep concern, for with a decrease in

the revenues to any considerable extent there would be serious embarrassment in meeting our obligations and the expenses of our State government. I am, however, pleased to learn that the reassessment shows that there has been an increase in our real estate values of \$11,646,792 over 1890, and not a decrease. So that Virginia, despite the heavy financial depression under which she, in common with the whole country, has been suffering for several years, has gone forward and added appreciably to her taxable real estate values. It speaks volumes for her material strength, and the courage, energy and industry of her people.

FINANCIAL CONDITION.

Our treasury has been able to meet promptly every demand made upon it, and there is no reason to fear that loss will be sustained by the defalcation of any who have been entrusted with the collection of the State's money. Scarcely at any period in her history have the finances of Virginia been in better condition, and the present fiscal year promises as well as the last two.

PUBLIC DEBT.

Little need be said in reference to the public debt. It has been settled upon a basis honorable to the State and satisfactory to the creditors, and I can conceive of no condition of affairs that can arise to renew any contention over this question.

Under the provisions of an act approved January 31, 1894, holders of a portion of the unfunded debt, who were barred from the provisions of the act approved February 20, 1892, by their failure to accept within the time prescribed, were permitted to accept the terms of the last-named act, and the Commissioners of the Sinking Fund were authorized and empowered to place these holders on the same footing as if they had actually accepted the terms of said last-named act within the prescribed time. In pursuance of the power conferred and as directed, the Commissioners of the Sinking Fund advertised for the reception of said outstanding bonds for exchange, and bonds to the amount of \$1,474,017.94 were surrendered and funded, and, in lieu thereof, new 2-3 per cent. bonds for the aggregate sum of \$1,015,184.89 were issued.

It is well known that the United States holds registered bonds of the Commonwealth. In May, 1894, a demand was made for the payment of these bonds (aggregating, as stated by the Treasurer of the United States in his demand, \$540,000 principal), and refused upon the following impregnable grounds, as set forth in the letter of A. W. Harman, Esq., Treasurer of Virginia, to Hon. D. H. Morgan, Treasurer of the United States.

First. Because no appropriation had ever been made to pay them.

Second. Because the bonds were issued before the dismemberment of the State of Virginia, but no credit was allowed for West Virginia's "equitable proportion" of said bonds.

Third. Because the Government of the United States is indebted to the Commonwealth of Virginia for advances made and money loaned during the war of 1812, amounting, on the 1st day of January, 1894, to \$1,596,022.04.

It is a matter of record that for forty-five years Virginia has been demanding payment of these advances and loans, and ever since the United States became the holder of the registered bonds aforesaid, Virginia has been ready to give due credit for the same upon the United States' indebtedness to her, but to the present time she has failed to secure a settlement. One branch or the other of Congress has repeatedly, but at different sessions, recognized Virginia's claim and passed bills to pay her. Other States have been paid the advances made by them, but Virginia, as patriotic and true as any, and so liberal in her territorial donations to the Union, has been left to continue her demands.

I would recommend that your honorable bodies memorialize Congress for an adjustment of the matter between the United States and Virginia, and take such other action as may, in your judgment, promote a settlement of accounts between them.

WEST VIRGINIA'S PART OF STATE DEBT.

By joint resolution of the General Assembly, approved March 6, 1894, entitled "A joint resolution to provide for adjusting with the State of West Virginia," &c., a commission was created, and authorized and directed, under conditions specified, to negotiate with the State of West Virginia a settlement and adjustment of the proportion of the public debt of the original State of Virginia proper to be borne by West Virginia. The commission was duly organized, and, after the conditions specified had been complied with, notified me that they were ready to perform their duty, whereupon I communicated the said joint resolution, as directed therein, to the Governor and Legislature of West Virginia by letter, a copy of which is appended hereto.

The commission will make a report to you as to their action and the result of their efforts, and I shall not anticipate it. I will only say that nothing was accomplished, and, so far as I can see, Virginia is no nearer a consummation of her desire to effect a settlement and adjustment with West Virginia than she was twenty years or more ago.

THE PENITENTIARY.

The number of convicts in the penitentiary has been increasing monthly ever since my administration began. On the 1st day of

October, 1894, there were fifteen hundred and thirty; on the 1st day of October, 1895, there were sixteen hundred and sixteen. While I am an earnest advocate of the public free school system, I am constrained to say that its advantages do not seem to improve the morals of our colored people, or restrain crime among them, for the number of colored criminals is constantly growing larger, and of the sixteen hundred and sixteen in the penitentiary on the 1st day of October, 1895, twelve hundred and seventy-nine were colored, which is a smaller percentage of our colored population than the average criminal percentage of the colored population of the northern and western States. According to the census of 1890, there were nearly fifteen in every five thousand of the colored population of the northern and western States in the penitentiaries and jails, while in Virginia there were only about eight in every five thousand. This proves either that there is more crime among the better-educated colored citizens of the northern and western States than among the colored citizens of Virginia, or that our people are more lenient to this race than are the people of those States. If the former, it would appear that education has not been beneficial to these people; if the latter, it is a full answer to the charge of injustice and wrong so persistently made against us—that we are severe and cruel in our treatment of them. But, be this as it may, we are confronted with the fact that the number of colored convicts is increasing so rapidly as to lead us to realize that our criminal expenses are advancing out of all proportion to the growth of our population, and that we must extend the walls of our prison, now overflowing.

It is gratifying to me to be able to report that the management of our penitentiary, during the last two years, has been most satisfactory. For the fiscal year ending on the 30th day of September, 1894, the net revenue was about \$34,000; for the last fiscal year, about \$51,000.

The health of the prison has been good. The discipline has been rigid, but merciful. There have been no escapes.

By an act of the General Assembly, approved January 22, 1894, the superintendent was authorized, with the approval of the board of directors and the Governor, to purchase or lease a farm, and erect thereon suitable buildings for the care and employment of convicts. In pursuance of the authority conferred, a farm, lying on the James river on the line of the James river division of the Chesapeake and Ohio railroad, twenty-six miles from the city of Richmond, containing 952 acres, was bought for \$16,000 cash. I think it was a most judicious purchase.

The superintendent, under the direction of the board of directors, has erected buildings and stockades, purchased stock and implements, and had, on the 1st day of October last, nearly two hundred convicts at work. He commenced operations about the beginning of the fiscal year of 1894-'5, and has had in cultivation

about four hundred acres, and has raised large quantities of corn, potatoes, and other products, and been very successful, considering the unfavorable season. In addition, a large amount of cleaning up, ditching, &c., has been done. It is my opinion that the enterprise will be a success, and justify the action of the General Assembly in authorizing the purchase, for, notwithstanding the severe drought, the farm was almost self-sustaining, the deficiency amounting to only \$1,442.64.

In connection with what I have said as to the necessity of enlargement of the penitentiary, I call your careful attention to the recommendation of the board of directors as to better prison arrangements. Their recommendation is wise, and I hope you will find it possible, under the plan suggested by the superintendent, to carry it out. It can well be imagined what the condition must be when the buildings were erected for not more than one-third of the number now confined in them. There are constantly, on an average, fifty colored boys, sixteen years of age and under, serving sentences. The crimes of which they are generally guilty are grand larceny and house-breaking. Associated as they are, on account of the limited space, with confirmed criminals, there is no hope that confinement will reform them, but absolute certainty that when their terms expire they will go out into the world only to enter upon careers of crime. Humanity and public policy demand that an effort be made, as far as may be, to reform them while their minds are still susceptible of good impressions. If it were possible, I would be glad to see a colored reformatory school established, but, as this may not be practicable at present, some provision should be made for separate apartments for them.

STATE HOSPITALS.

There is nothing in which the people feel a deeper interest than in our State hospitals, and nothing for which they are more willing to be taxed than for their support. Every natural heart goes out in sympathy to the unfortunate inmates, and every humane man is ready to contribute for their maintenance, treatment and comfort. These institutions should have the most tender consideration; their management should keep pace with improved methods and advanced ideas; they should be in charge of those most skilled in the treatment of diseases of the mind, and directed by boards of wide-awake business men, who will carefully observe everything connected with them and bend every energy to improve them year by year.

I think I can report that all our hospitals are being well conducted. The superintendents and their assistants are faithful in their attentions, earnest in their efforts and kind and gentle in their treatment, while the boards of directors are constant in their watchfulness and assiduous in the discharge of their duties, taking nothing for granted, leaving nothing to chance.

PUBLIC FREE SCHOOLS.

It will be no less pleasing to you than it is to myself to know that our public free schools are doing well and the interest in them steadily increasing.

The school statistics for the year closing July 31, 1895, will show that there were 6,033 white and 2,243 colored schools opened, with 235,533 white and 120,453 colored pupils enrolled, and 6,211 white and 2,081 colored teachers. The revenues for the year were as follows: Local funds, including county, district, and city levies, \$849,935 84; State funds, including proceeds of State school tax, appropriation by General Assembly, interest on investments of the Literary Fund, \$974,351.93—making a total of \$1,824,287.77. The expenses were as follows: Teachers' salaries, \$1,383,906.88; real estate, buildings, &c., \$159,856.33; school apparatus, &c., \$25,343.13; all other expenses, \$238,486.06—making a total of \$1,807,592.40. In this statement no account is taken of balances carried from the preceding year. Every year shows a slight advance in the revenues applied to the support of the system, but there is urgent need of more money. The term is too short in the country schools, teachers' salaries are insufficient, and there are other demands which must be met to bring our system abreast with the schools of other States, where the revenues are much larger. I feel that it is unnecessary for me to urge you to give our system all the support in your power.

About a year ago the charge was made that patrons of the Virginia schools were paying more for school-books than the patrons of the schools of other States were paying for the same books. A careful and exhaustive investigation was instituted, and the charge was found to be utterly groundless. There is no State which has more favorable contracts than Virginia.

THE UNIVERSITY OF VIRGINIA.

It becomes my painful duty to report to you the burning, on the 27th day of October last, of the rotunda annex of that grand institution of learning, the University of Virginia, which for nearly three-quarters of a century has been the pride of all Virginians and the literary and intellectual Mecca of the South, and whose founder and first rector was the sage of Monticello. It is a calamity which has brought sorrow to the whole State, and I am sure I state it not too strongly when I say that the people of Virginia will not be content until they can again gaze with fullness of heart upon the rotunda as Jefferson planned it, and such additions as will make the whole equal in form and beauty to what it was before the fire.

I am not prepared, nor do I think it proper for me to suggest

ways and means. I have the utmost confidence in your wisdom, as well as your devotion to the object so warmly cherished throughout the borders of our State, and I am confident you will take such steps, if within the scope of your authority, as will result speedily in the full restoration of our beloved University—the nursery of statesmen and orators, scientists and literati. I hope to be able to second your every effort and give you my hearty support.

THE LEE MONUMENT.

It is only necessary for me to direct your attention to the neglected condition of the Lee Monument, in the city of Richmond, to insure an ample appropriation to improve the spot upon which it stands and preserve it from the vandal's hand. It now belongs to the State, and should receive the care which the sacred memories that cluster around such a monument demand at the hands of the General Assembly of Virginia. Its present condition is unexcusable. Already its superstructure has been clipped and marred by heartless relic-hunters. I earnestly recommend immediate action. Let it no longer appear as though our love for the memory of Robert E. Lee is waning. The plat should be sodded, the monument repaired, and the whole enclosed with a substantial iron railing sufficiently high to prevent injury or defacement.

CONFEDERATE SOLDIERS.

That I will strike a responsive chord in your breasts, I doubt not, when I recommend that the utmost liberality be shown to dependent soldiers and dependent widows of soldiers who served in Virginia commands in the Confederate army. The Confederate soldier fought for principle, not spoils; patriotism prompted him, not bounty-money nor pensions. Thirty years have passed since the war between the States closed, and all who participated in it have passed the meridian of life, and numbers of them are in old age. Exposure incident to that service has brought disease to many, rendering them incapable of earning a livelihood, while others received wounds which have so weakened them physically as to make them dependent. In many instances the widows of those who were killed or died during the war, or since, from wounds inflicted or diseases contracted in the service, have been reduced to poverty, and, either by reason of advanced age or impaired health, are compelled to rely upon the charity of friends for support. Virginia is in duty bound to care for these gallant surviving veterans and the widows of the no less brave and loyal men who gave their lives in her defence and at her behest. I am confident I will appeal not in vain for generous appropriations for pensions and in maintenance of that noble institution known as the Confederate

Home. Every loyal Virginian will applaud you for recognizing in as full measure as possible Virginia's sacred obligation.

BOARD OF AGRICULTURE.

You will find the report of the Board of Agriculture interesting, and I recommend its careful perusal. The board direct your attention to "the suggestions for legislation on various subjects" contained in their last annual report, and I hope you will give their suggestions thoughtful consideration.

The encouragement of immigration and the construction and maintenance of good roads are earnestly urged; the importance of the Weather Bureau is presented, and the hope expressed that the State weather service will be organized and placed upon a firm basis; the value of soil tests is regarded by the board as great, and the need of a topographical and geographical map of Virginia is considered imperative.

The appropriation for the past fiscal year for the conduct of the Department of Agriculture was \$13,000, and the board reports that the sum of \$9,110 was derived from the tax on fertilizers, of which \$6,110 was turned into the State treasury, in pursuance of law.

The wealth and glory of a country are increased by trade, but it is in the cultivation of the soil that a country's real strength and stamina are found.

Representing, as you do, a State whose main-stay is agriculture, I feel that nothing I can say can add to your interest in its needs and wants.

OUR INSTITUTIONS OF LEARNING.

I have already referred to the calamity which has befallen Virginia in the partial destruction of the University, but the board of visitors and the faculty have displayed most commendable zeal and splendid executive ability in meeting the demands of the situation. The day after the fire the lectures were resumed, and every arrangement has been made to continue them and to provide for the large number of students during the entire University year.

The Medical College continues to enjoy its well-earned reputation; the Female Normal School is progressing finely; the Military Institute has its barracks well filled, and retains its high position in the esteem and affection of the people of the South; the Agricultural and Mechanical College is doing excellent work under its superior management, and its matriculations are far in excess of any previous year in its history; William and Mary College, so rich in historic memories, is moving forward with rapid strides; the Deaf, Dumb and Blind Institution is keeping up its

standard and is still an ornament to the State, and the Normal and Collegiate Institute ranks with the best of its kind.

All of these institutions merit, and will receive, I am sure, all the support you can give them in justice to other pressing demands upon our revenues.

PROTECTION OF VIRGINIA WATERS.

The wealth of Virginia in her waters could hardly be overestimated.

According to the Baylor survey there are 201,216.3 acres of natural oyster beds, rocks and shoals, and 400,000 acres of planting ground—of “barren area disposable by the Commonwealth for the propagation of oysters.” Of course the natural rocks cannot be rented, but the immense area outside is leasable, and if it could be let at an annual rental of one dollar per acre—the price fixed by statute—it would yield as much revenue as is now realized from real and personal property of the value of one hundred million dollars, and nearly as much as from all the cities in the State. It may be that this vast expanse of oyster ground will never under any circumstances or conditions be leased, but suppose the State can realize from half of it, how magnificent will be the return!

But to preserve the value of these propagating grounds we must guard the seed ground.

How important, then, it is that we look well to the protection of the natural beds from the dredger, at home and abroad. While we have had some trouble with resident dredgers, incessant have been our troubles with non-residents in the Tangier and Pocomoke sounds until recently. So persistent and frequent had been these incursions by non-residents that during the session of the last General Assembly I recommended an appropriation for the purpose of strengthening our oyster police navy, and the sum of \$10,500 was set apart to that end. Without expending all of this appropriation the Board on the Chesapeake and its Tributaries purchased in the city of New York a steamer of light draft, yet seaworthy, and armed and equipped her. She was named “Accomac,” and with the schooners “Tangier” and “Pocomoke,” already in service, she was kept on the State line in the sounds during the oyster season of 1894-’5. At the end of that season, to save expenses, the “Pocomoke” was retired until the commencement of the present season, when she was again placed in commission, the “Accomac” and the “Tangier,” however, remaining at their posts during the past summer, and all are now on duty.

It gives me pleasure to state that since the “Accomac” was placed on the line no depredation of any consequence has occurred. I believe the appropriation was judicious, and that the strengthening of our oyster police force has had the effect of deterring non-residents from crossing our line, defying our laws, and

preying upon our oyster beds, as they had been doing for many years.

The officers commanding the steamer and schooners have been vigilant and faithful, and are worthy of the highest commendation.

CAPTURED BOATS.

On the evening of the 16th day of February, 1894, a large number of oyster boats, owned and manned by citizens of Maryland, crossed into Virginia, in Tangier sound, and with arms drove the Virginia oyster police schooner, "Tangier," from her post in said sound, and took possession of the valuable oyster grounds known as "Old Woman's Marsh," and, in defiance of law, dredged thereon for oysters until they were driven out by the oyster police steamer, "Chesapeake," under orders from me, on the night of February 19th. In the pursuit of the marauding vessels, the schooner "William E. Price" and the schooner "G. W. Stevenson," belonging, respectively, to Benjamin F. Marsh and Edward Lowe, residents of the State of Maryland, were taken by the "Chesapeake." It was alleged that these boats had been pursued by the "Chesapeake" into Maryland waters and there captured. The General Assembly of the State of Maryland, on the 28th day of February, 1894, passed a joint resolution declaring that the act was an invasion and violation of the territory of Maryland, which could not be passed by without notice and reparation, and, appointing a committee who, in conjunction with the Governor of that State, were directed to call the attention of the Governor and Legislature of this State to this violation of the territory of Maryland, and demand redress and reparation. The joint resolution was laid before me by the committee, and by me communicated to the General Assembly of Virginia; whereupon a committee was appointed by a joint resolution adopted March 2d, 1894, to act jointly or separately with a like committee to be appointed by the General Assembly of Maryland to investigate and ascertain the facts in connection with the conflict between the "Chesapeake" and dredging vessels, and the capture of the "William E. Price" and "G. W. Stevenson," and report the facts ascertained, together with their conclusions, to the Governor of this Commonwealth. On the 20th day of June, 1894, the said committee made their report to me, setting forth that the evidence was conflicting as to the exact locality of the capture of the said vessels. They reported, further, that it clearly appeared that the "Chesapeake" pursued the dredging fleet into Maryland waters, and, after an able and exhaustive discussion of the right of Virginia to pursue into Maryland waters, they concluded that inasmuch as the authorities of that State had not theretofore refused to extradite an offender against Virginia's laws, and it not appearing that the attention of the authorities of Maryland had been

called to the continuous incursions by residents of that State into Virginia waters, Virginia could not, at the date of the capture, claim the right of pursuit. They further concluded that under all the circumstances and relying upon the full co operation of the authorities of Maryland with our own officers to prevent similar troubles in the future, a suitable acknowledgment of regret should be made to the Governor of Maryland, and recommended that the captured vessels be tendered to him. A copy of said report is hereto appended.

Acting upon the recommendation of the committee, on the 5th of September, 1894, I addressed a letter to His Excellency, Frank Brown, Governor of Maryland, a copy of which, together with a copy of his reply, will be found appended.

Since that time there has been no cause of complaint upon the part of Virginia, and I hope and believe we will in the future be relieved of the conflicts which for many years had been occurring in the Tangier and Pocomoke sounds, resulting from the long-continued and persistent depredations upon our valuable oyster grounds by residents of Maryland.

OYSTER LAWS.

The oyster laws have been enforced as far as possible, and the commandant of the "Chesapeake," Capt. W. E. Hudgins, is entitled to special notice. He has been active and watchful, fearless and diligent, in the discharge of his responsible duties. Violations are occurring often, but many violators have been arrested and fined.

In various instances inspectors have been deceived and have issued licenses to non-residents of the State, contrary of course, to law, and these impositions are liable to occur at any time under the existing statute. In view of this fact, I submit for your consideration the propriety of so amending the statute as to require all licenses to be granted by the judges of the respective county or city courts either in term time or vacation, instead of the inspectors; and that a record of all licenses so granted be kept by the clerks of the respective courts, and that they be required to furnish the proper inspector with a copy of each order granting a license, and send quarterly a certified list of said licenses to the Auditor of Public Accounts, to be used by the Auditor in settling with the inspectors.

It has been alleged in a few localities that the survey of the natural beds did not embrace all of the natural rocks, and disputes have arisen between tongmen and lessees of grounds not included in the survey. I must express the opinion that the lines established are substantially correct. They were designated by Capt. J. B. Baylor, a most distinguished and competent officer of the United States Coast and Geodetic Survey, under the direction of

commissioners appointed by the courts of the respective counties, and I have great faith in their accuracy, and there should be no interference with them unless there was a palpable mistake made and no harm can result. Care should be taken not to set a bad precedent.

THE VOLUNTEER MILITIA.

Virginia has a volunteer militia force of which she can be most justly proud. In the future, as in the past, she will find her soldiers ever a bulwark against danger, ever ready to uphold the law, maintain the peace, vindicate the right and protect the humblest of our citizens in his guaranteed privileges, whenever the civil authority proves too weak. "The militia is the sword arm of the Commonwealth," to be used cautiously, but firmly. In vain will agitators and disturbers and those with anarchistic tendencies seek to arouse a prejudice against the volunteer soldiers of a State, for they are not hirelings nor aliens, but they come from the people, and prompted only by patriotism they enlist for the defence of the people of their State and her institutions.

Thrice proud can Virginia be of her volunteers, for surely they have shown their devotion to her by maintaining and keeping up the efficiency of their organizations in spite of the meagre support they have received from her. Last year each cavalryman and artilleryman received \$2.40, and each infantryman \$2.10, from the State. I do not think there is a State in the Union that appropriates so little for the support of her militia. Can we not do better? An appropriation double the sum heretofore set apart would not be felt by any tax-payer in the Commonwealth. I am sure there is not a member of either of your honorable bodies who would vote to disband the present military organization, for he recognizes the importance of maintaining it. Then, if our safety depends upon continuing it, is it just to throw the burden practically upon the members? They give their time whenever the dignity of the State requires it; they give their time in drilling and becoming proficient in the manual and evolutions, and they should not be required to contribute their means for incidental expenses.

I recommend more liberality than heretofore displayed towards the volunteer militia.

SUPERVISION OF STATE BANKS, INSURANCE COMPANIES, AND BUILDING AND LOAN ASSOCIATIONS.

The experience of the last few years has demonstrated the necessity of supervision of State banks. The National Government has considered it wise—in fact, necessary—to exercise supervisory power over national banks, and like power should be exercised by the State over State banks. Various instances, of recent dates,

could be cited where heavy losses have occurred through the purloining of funds by bank officers, the making of false entries and the keeping of false accounts, or the gross mismanagement of said banks.

Similar power should be conferred over insurance companies and building and loan associations. During my term frauds have been committed by insurance companies chartered by this State. Without capital, they have advertised extensively for business, and issued policies, and when losses have occurred the suffering policy-holders have awakened to the fact that they had been swindled and the swindlers had departed.

Building and loan associations are multiplying rapidly, and becoming important factors in the growth and progress of our State. They gather in the savings of thousands of poor people, and when properly conducted they are blessings to those who are without homes. Like banks and insurance companies there should be State supervision over these associations.

I therefore recommend that an act be passed creating the office of examiner or commissioner of State banks, insurance companies and building and loan associations, with such powers as you may deem necessary to protect stockholders, depositors and policy-holders therein, the salary or fees of said examiner or commissioner to be paid by said banks, companies and associations.

DEPOSITS BY INSURANCE COMPANIES.

Foreign insurance companies, life and fire, are required to deposit with the Treasurer of the State bonds of the State, United States, or certain cities, to an amount equal to five per centum of their capital stock, not to exceed \$50,000 nor be less than \$10,000. These bonds are held for the security of the insured, and, in case of the default of a company to pay any of its liabilities the bonds are directed to be sold to satisfy the same. It can work no hardship to require home companies to make deposits upon the same basis. They will draw the interest upon the bonds deposited, and by furnishing security to their policy-holders will strengthen themselves in the confidence of the public and enlarge their business. No *bona fide* company, or one sufficiently strong to do business and merit confidence, it seems to me, would object; and if the deposits are required no fraudulent concerns could in the future impose themselves upon the public.

I therefore recommend that all insurance companies, life and fire, chartered by this State, and now doing business in this State, be required within a reasonable time to be fixed in the act, to deposit with the Treasurer of the State bonds of the State, United States or such cities as you may designate, to amounts equal to five per centum of their respective capital stocks, not to exceed in any case \$50,000 nor be less than \$10,000, and that companies, associations

or societies doing business on the mutual or assessment plan, be required to deposit the same securities in such amount as you may deem proper.

I further recommend that no company, association or society hereafter chartered under the laws of this State shall be permitted to do business or issue policies or certificates of insurance until it shall have made the deposit required above of companies, associations and societies now chartered and doing business.

GOOD ROADS.

Great interest is being awakened in the country at large in improved roads, and I hope you will recognize the importance of pushing well to the front in the movement. That our country roads are generally poor no one will deny. We are inviting immigration and offering inducements to settlers in the way of low prices for our fertile and rich lands, but we have done nothing to make the ways over which they must travel and haul, if they come among us, smooth and firm. Many States are already moving and others are arousing from their lethargy. Shall we sleep and allow them to outstrip us in a matter so essential to our advancement and progress? We have railroads running in every direction to transport our products to market, and yet the roadways to them in many sections are so bad that the cost of reaching them is so heavy as to leave the producers little profit after meeting the cost of production. Complaint is frequently made that the freight rates are excessive. This may be true in many instances; but no effort is made to reduce the expense of hauling to the railroads by improving the public highways. It is my opinion that nothing improves a country more than good roads, and no investment yields the farmer more than the money he pays as road tax, if it is judiciously used. Ever since I entered upon the discharge of the duties of my present position I have taken a peculiar interest in the subject I am now presenting. I have found difficulties in the way to an enactment of such laws as will insure the result desired, but they are not insurmountable.

The Supreme Court of Appeals of the State has held that road service cannot be required of the citizen, and I am glad of it, for long experience had fully demonstrated that the compulsory system was "penny-wise and pound-foolish." Our roads, then, must be worked entirely by taxation. This is settled. How much shall be levied? Our existing statute provides that the tax for road purposes shall not be less than five nor more than twenty cents upon every one hundred dollars in value of real estate and personal property. An examination of the road levies of the counties discloses the fact that the average tax is exceedingly small. How unwise! It is no wonder that the roads are often found impassable just at the time the farmer wants to take advantage of an advancing

market, and, when they are at their best, he finds that four horses cannot haul as much as two on a good road, and that it takes him twice as long to make a trip as it would on a macadamized road.

During your session plans to secure better roadways will be laid before you, I learn, by a committee appointed by a roads convention which met recently in the city of Richmond, and I trust you will give the committee a patient hearing, and be able to evolve some measure which will redound to the advantage of every section of our State, by securing better ways for getting from point to point and conveying our products to the railroads and markets.

ESCAPES FROM JAIL.

Within the last two years escapes from the jails of the counties have been frequent. In every instance I think the escape has resulted from the insecurity of the jail or the negligence of the officer in charge. It seems to me that all rewards offered for the capture of an escaped person from the jail of any county or city, and the expenses incurred in his capture, should be a charge upon the county or city and not upon the State. It is the duty of the county or city—not the State—to provide a safe and secure jail, and it is the province of the county or city—not the State—to provide an efficient officer, and when a person charged with crime is permitted to escape, the county or city—not the State—should be liable for the reward and expenses incurred in his capture. I therefore recommend that any reward offered by the Governor for an escaped prisoner from jail and the expenses incident to his capture and return shall be paid by the State, and then refunded to the State by the county or city from whose jail the escape occurred out of the next annual levy, and that the law be amended to this end. This will have the effect of securing safe jails everywhere and greater vigilance upon the part of the officers in charge, thereby lessening the number of escapes and reducing the criminal expenses of the Commonwealth.

Some time since a prisoner, convicted of murder, escaped from a jail of one of the counties. I offered a reward of one hundred dollars for his apprehension. He was captured and returned to the same jail, and in a few days he again liberated himself, and is now at large.

PUBLIC HEALTH.

I submit that the laws bearing upon the subject of public health need revision.

Within the last year various localities in the State have had visitations of small pox and other dangerous contagious diseases, and so vague and indefinite was the statute that the authorities were in doubt as to the course to pursue to protect the communities against the spread of the maladies and at the same time in-

fringe upon no personal or public right. In some localities proper precautions were taken and no wrong done; in others, extreme measures were adopted, resulting from unreasonable alarm, which worked injury to business interests.

The Governor, under section 1714 of the Code, is required to appoint a State Board of Health and Vital Statistics. The duties and powers of this board are too limited, in my opinion, to effect any practical results. It should be abolished, as its title is misleading, or its duties and powers enlarged. I think the latter would be wiser.

The prime object of a State Board of Health should be the saving of human lives, and to that end the prevention and spread of diseases. The board should have advisory and supervisory powers, and police power where no local boards exist. As the law stands, a community for want of skilled advice may be lax or extreme in precautionary measures. One city or town may for fear of injury to its business or commercial interests delay too long or guard imperfectly, while another city or town may become panic-stricken and act too hastily or radically.

Very many, perhaps all, of the States, exclusive of Virginia, have boards of health clothed with powers of a practical character, and they are supported by appropriations. Massachusetts appropriates about \$100,000; Illinois about \$50,000; Alabama, \$13,000; Maryland, \$13,000; North Carolina, \$5,500; South Carolina, \$3,000; Tennessee, \$3,000. Our statute provides expressly that our board "shall not in any way be a charge upon the State."

I desire, in connection with the question of public health, to direct you to the consideration of the dangers that exist from the breaking out of infections and contagions in the penitentiary and jails of the Commonwealth. There is no authority to remove a convict or prisoner from either who may contract a contagious disease. He cannot be taken from the prison walls to an isolated place, but must remain and possibly contaminate the prison, unless if a felon or a prisoner under sentence for misdemeanor he is pardoned by the Governor, or if a prisoner awaiting trial he is discharged by the court.

I recommend that the Governor be authorized, upon the application of the Superintendent of the Penitentiary or the jailor of any county or city, to direct the removal of any felon or prisoner serving a term who may have contracted a dangerous and contagious disease, to some place to be designated by the superintendent or jailor in his application for treatment, to be returned to the penitentiary or jail when he has recovered, unless the term of said felon or prisoner shall have expired.

I recommend that similar authority be conferred upon the judges in the cases of prisoners awaiting trial.

ELECTIONS.

The act approved March 6, 1894, entitled "An act to provide for the method of voting by ballot," and known as the "Walton law," has been vigorously assailed and earnestly defended.

I have given the act careful consideration, and, in the performance of my duty, I shall express my views plainly and frankly.

The object of all election laws should be the securing of order at the polls and a free and untrammelled, pure and unpurchased, expression of the will of the people, through the medium of the ballot-box.

It must be conceded that the system which had prevailed in Virginia for years prior to 1894 had utterly failed to accomplish the object just stated. It cannot be denied that there had been much confusion and disorder at the voting-places, and that large sums of money had been used in every election to corrupt voters by all political parties, and men's ballots had been purchased like stocks in the market. It cannot be denied that the weak in will had been controlled by the strong, that they had been unduly influenced and compelled for fear of class or race ostracism or persecution to reflect the will of others, not their own, and deprived of the free exercise of the right of suffrage.

That this condition of affairs should cease in the interests of our institutions had long been apparent to every honest and right-thinking citizen. The General Assembly, fully appreciating the danger to our institutions which had been increasing year by year, undertook the task of reforming our laws in the interest of pure elections, and the Walton act was the result of the combined effort and wisdom of a majority of the representatives.

Has the act accomplished the purpose for which it was intended? It has surely secured quiet, peaceable and orderly elections. The excitement, confusion and disorder, and the badgering, pulling and hauling of voters that prevailed to such a disgusting extent, have ceased. It has rendered the use of money impossible, for the venal voter can no longer be led to the polls by him who has contracted for his vote. It has certainly secured the free, untrammelled and unpurchased ballot of every voter of ordinary intelligence, for when he enters the booth he is exempt from intimidation and the influence of money, class and race, and there prepares his own ballot with his own hand, under his own eye, and none other.

So far, the effect of the Walton law must meet with the hearty support of every citizen who values orderly elections, condemns the use of money at the polls and desires a free, untrammelled and unpurchased expression of the will of the people.

Now, as to the voters who are "physically or educationally unable to vote." The statute provides that a special constable,

"who shall be an honest and discreet person, and be able to read and write," shall be appointed for each polling-place in the State, who, after being duly sworn to faithfully discharge his duty, shall, "at the request of any elector who may be physically or educationally unable to vote," render the elector such assistance as may be necessary in preparing his ballot.

It is to this provision of the law that the most strenuous objection is made by the opponents of the act. It is contended that under it illiterate and blind voters are placed at the mercy of the special constable. This is true; but ever since the ballot system was adopted in Virginia, until the passage of the Walton law, all illiterate and blind voters were compelled to rely upon others who were not officers and were not under oath to prepare their ballots. The Walton law gives them a sworn officer under a heavy penalty, instead of a private citizen unbound by the sanctity of an oath. There can be no force in the objection to the provision—only on the assumption that the official, being of the opposite party of the voter, would probably prepare the ballot contrary to the directions of the voter; in other words, that the special constable being a Democrat or Republican as the case may be, will likely perjure himself in the interest of his party. This is a most violent assumption, and if carried to its logical conclusion would cast discredit upon every judge who presides and every witness who testifies in a contested-election case or other matters of a political nature. It would be to hold that a judge cannot be trusted nor a witness believed, because he may be corrupted or may commit perjury to subserve party ends. This is more than I am willing to assume.

Does the experience we have had in the operation of the act justify such an assumption? Since its passage we have had three general elections. There are one hundred counties and eighteen cities and about fourteen hundred voting-places in the State, and at each precinct there was a special constable at each election. I have not heard of an indictment being found, or even charge preferred in form against a single special constable in any county or city, and this certainly speaks well for the integrity of the elections held under the new system; and, if they have been free from corruption and fraud, why amend this provision of the law? "Striving to better, oft we mar what's well." It may be said that the illiterate voter, in the nature of things, could not detect fraud in the special constable. Detection is easy, and so vigilant have been the opponents of the system it is hardly probable that they would have so utterly failed to find a single case to present, if the law had not been honestly administered.

But if more than one constable is insisted upon, how many would be suggested? I imagine, of course, one for each party having a ticket and one for each independent candidate. Each constable would then be present as the representative and partisan

of his party or candidate. Every illiterate voter upon entering the polling-place, unless he wished to deceive, would clearly indicate how he intended to vote by the constable he would select to prepare his ballot, and the secrecy of the ballot would thereby be destroyed. He would virtually proclaim his vote, and the way for the use of money, now closed, would be opened up and full play would be given again to class and race influence and intimidation. It may be urged that with one constable the secrecy of the ballot is destroyed. This is true to the extent of the official's knowledge—this from the necessity of the case—but under the proposed amendment the voter will be compelled to disclose his intentions, not to one man, as now, but to the judges, clerks and all the special constables present.

Taking everything into consideration, do not the advantages of the existing provision outweigh the advantages of the proposed amendment? With one constable, there is only possible dishonesty in the preparation of the ballots of the illiterate and blind; with more than one constable, there is certain destruction of the secrecy of the ballot, or a disclosure perhaps, ten-fold greater than now, and a renewal of the evils of intimidation, money corruption and undue class and race influences. No law can be absolutely perfect. No law can render fraud, corruption or dishonesty absolutely impossible. All that can be done is to exclude, as far as may be, the opportunities for the perpetration of wrong and impose heavy penalties for violations. In my opinion, the Walton act, in its general scope, approximates the object desired—of fair and honest elections, and a free, untrammelled and unpurchased expression of the will of the people. A dishonest and corrupt constable may occasionally be found under the existing system; but, on the other hand, the proposed amendment would make the purchase, intimidation and improper influence of voters easy and certain, and require the illiterate and blind voter to impart his secret to all present in the polling-place.

If I am wrong in my conclusions, and you should determine that the number of special constables should be increased, I shall cheerfully yield to your judgment, for no man more earnestly favors fair and honest elections than myself.

I recommend such amendments as may be necessary to relieve the act of uncertainties in its construction. I recommend that it be so amended as to require the ballots in each county and city to be of uniform size and style, printed in plain and uniform type, so they can be easily read by those acquainted with the English language.

LYNCHING.

With pain and mortification I bring to your attention the frequent taking of human life without due process of law within the

borders of our State. Every such act blunts the sensibilities of the participants, and tends to dry up the well-springs of morality and break down the safeguards of society. In Virginia lynching cannot be defended; it must be reprobated. This Commonwealth has ever boasted of the purity of her judiciary and the uprightness of her juries, yet the number who have suffered death by the halter without trials or sentences of her tribunals of justice, has created abroad the impression that her judges and juries cannot be trusted, or that her people are swayed by passion and uncontrolled by reason; that here law is dethroned and lawlessness reigns.

I know there is a crime too horrible to mention, so black as to cry for vengeance; but even the commission of that crime cannot warrant a resort to mob violence, for justice with us is certain and will never miscarry, if the law is allowed to take its course.

But lynching has not been confined by any means to such cases; for in the last fifteen years only about one-third of those lynched have met their death upon charges of actual and attempted commission of this shocking crime.

Our list of executions without the pale of law is long, including both races; and, while some other States have lists of greater length, this cannot excuse us. We cannot be justified in the sight of God or man by pleading that some other people are worse than ourselves.

I invoke with emphasis the exercise of your power in stamping out the spirit which is bringing reproach upon the honored name of this Commonwealth. Christianity demands it; public morality requires it; popular sentiment exacts it.

I recommend the passage of an act requiring every county or city to pay into the treasury of the State, for the benefit of the public free school fund, the sum of \$200 for each thousand of its population, not exceeding ten thousand dollars, for every lynching which may occur within its limits, the same to be provided for in its next annual levy.

I further recommend that the expense of the military, if called out by the sheriff of any county or mayor of any city to protect a prisoner threatened with violence, shall be refunded to the State by said county or city out of its next annual levy.

I further recommend that if any sheriff, jailor, sergeant, constable or other officer having in custody a prisoner, shall permit said prisoner to be taken from his custody without exhausting all means in his power to prevent it, he shall be summarily suspended from office by the court in which he qualified, until a motion to remove him shall be heard and determined by a jury.

I further recommend that right of action for damages be given to the prisoner taken from custody as aforesaid, if living—if dead, to his widow, if he leaves one, if not, to his heirs—against the officer from whom the prisoner was taken, on his official bond; and that upon the trial of the motion to remove said officer, or of the suit

for damages, the burden shall be upon said officer to prove that he exhausted all means in his power to prevent the taking of the prisoner from his custody.

I further recommend that the penalty for rape or attempted rape shall in every case be death, and that an indictment for either offence shall have precedence over any other case on the docket of the court in which the indictment is pending.

In my opinion, if an act embodying such provisions is passed, lynchings will no longer occur in Virginia.

USE OF MILITARY.

During the last two years the military has been ordered into service upon the calls of the sheriffs to protect prisoners threatened with violence in the counties of Prince William, Augusta, Frederick, Clarke, Lunenburg and Albemarle, and the timely presence of troops has had the effect of preventing mob violence and giving Virginia a clean record, so far as lynching is concerned, for the years of 1894 and 1895. If any are disposed to put a monetary price on law and order, I will say for their benefit that the entire cost of the military on these several occasions was less than two cents on the thousand dollars of the taxable property of the State.

Besides the use of the military in protecting persons charged with crimes and securing for them fair trials, it was called into service at Pocahontas, Tazewell county, when a breach of the peace and mob violence were threatened by a large body of non-residents of the State. Last spring the miners in the Elkhorn region of West Virginia went out on a strike, because of a reduction in their wages. The miners on the Virginia side of the line, whose wages were not cut, remained at work and refused to join the strikers. On the first day of May I received by wire reliable information that the strikers would hold a meeting that day at Keystone, W. Va., after which they would use force to prevent the Pocahontas miners from continuing at work; that the sheriff of Tazewell county and fifty deputies were on the ground to resist the attempt, but that they would be powerless to meet a determined effort by the strikers, who numbered at least eight thousand. I immediately sent the following telegraphic message to the sheriff of Tazewell county:

"Wire me fully condition of affairs in mining region. Do you need military aid? Law must be upheld at all hazards. Take no chances."

I received this reply promptly: "Pocahontas, Va., perfectly quiet now. Elkhorn, W. Va., still on strike. Would advise that a company of troops be kept in readiness."

At once I wired His Excellency, the Governor of West Virginia, for permission to transport troops through that State, if necessary,

and authority was immediately given, and at the request of His Excellency, authority was granted him to transport troops through Virginia.

On the 3d day of May the following telegraphic message reached me from Pocahontas:

"Have just returned from Elkhorn. Everything quiet there; also in Pocahontas, as yet. The strikers from West Virginia mines propose to have public meeting here Sunday. I cannot foresee the result. I am fearful of trouble. I will wire you again if anything transpires.

[Signed] "JOHN W. CROCKETT, Deputy Sheriff."

Later the same day the same officer wired me from Pocahontas in these words: "West Virginia miners propose to hold mass-meeting here Sunday. If violence attempted, my force would be wholly inadequate. Answer." After mature consideration I came to the conclusion that several thousand idle and excited men, with free access to liquor, meeting in Pocahontas for the purpose of coercing by force or threats the Virginia miners who were satisfied and did not desire to strike, to quit work, would certainly result in a breach of the peace and serious troubles, and as the sheriff had informed me that in case of violence his force would be wholly inadequate, and there being no troops in that section of the State, I determined that the rights of Virginia citizens, the safety of the community and the protection of life and property demanded that soldiers be placed sufficiently near to Pocahontas to enable the sheriff to call them quickly to the scene in the event they were needed. I had vivid in my memory the loss of life and destruction of property in mining regions in other States on similar occasions, because of the tardiness in supporting the civil authority with the military. While executives were halting, blood was flowing and the flames playing. I recalled the proverb: "Better to be censured by some for anxious apprehensions than ruined by too confident security." Accordingly, I ordered Major William E. Simons, of the Virginia volunteer militia, to proceed at once to Graham, distant about five miles from Pocahontas and on the line of the Norfolk and Western railroad, with a force which I hoped would be sufficient to overawe the lawless, if not strong enough to cope successfully with any outbreak, with orders to report to the sheriff of Tazewell county and obey his command. At the same time I wired the sheriff that the commander had been ordered to report to him. The troops reached Graham on Saturday, May 4th, about 2 o'clock in the afternoon, and were there halted, subject to the command of the sheriff. On the 6th day of May, Major Simons was ordered by the sheriff to proceed to Pocahontas, which he did, reaching there on the evening of that day, and was placed in command of the town by the sheriff, thus showing how dangerous

were the conditions in the opinion of the sheriff. The presence of the troops at Graham prevented the proposed meeting from being held in Pocahontas, and instead thereof it was held just across the line, in West Virginia, about three-quarters of a mile from Pocahontas, at which violent and denunciatory speeches were made by the leaders of the strikers.

For three months the peace of the miners at Pocahontas and the safety of life and property were threatened. Meetings were held almost daily at the point just mentioned, and threatening speeches made against the working miners, the military and Virginia officials. A military force, which was gradually reduced, was maintained at Pocahontas from the 6th day of May until the 2d day of August, when, in the opinion of the sheriff of Tazewell county, all danger had passed.

I am convinced that the close proximity of troops on Sunday, the 5th day of May, prevented not only the coercion of satisfied workmen to stop work, but violent breaches of the peace and most probably loss of life and destruction of property. It cannot be conceived that such a meeting for the purpose avowed could have been held in a town with a feeble police and weak sheriffalty force, without causing personal collisions and serious troubles and placing the town at the mercy of a mob which is "always a monster, with the hands of Briareus, but the head of Polyphemus—strong to execute, but blind to perceive."

I am further equally convinced that if the troops had been ordered away at a date much anterior to the time of their withdrawal, the Virginia miners would have been driven out of the mines and the mines closed. This was the case in West Virginia, where there were no troops to protect those who desired to work in mines at which there had been no cut in wages. There, when persuasion failed, force was used, and for nearly three months terror reigned.

To summarize, the presence of troops at Pocahontas prevented probable bloodshed and destruction of property, preserved the peace, kept the mines in operation and gave employment to hundreds of miners—the number increasing daily until it had run up from 1,100 when the strike commenced to about 2,300 when the military was withdrawn. It enabled many Virginia enterprises dependent upon the mines for coal to continue operations, furnishing labor to thousands of their employees, protected the Norfolk and Western railroad against threatened danger, secured every man in his right to pursue his daily work without molestation, and infringed upon no right of person or property.

The entire cost of supporting the troops at Pocahontas was less than six cents on the thousand dollars of the value of the real and personal property of the State. Considering the dangers averted and the results accomplished, who will complain of the paltry expenditure?

A great fundamental principle of government was involved.

I maintain that it is the duty of Virginia to preserve personal liberty. No man should be compelled to work, unless it be for penal punishment. If he is not satisfied with his wages he has the right to stop work, and whosoever forces him to continue is a law-breaker and abridger of personal liberty. On the other hand, no man should be compelled by menace, threats or force to withdraw from his work. When that is done, he is no longer a free man, and whosoever thus deprives him of his right to labor and to earn a livelihood robs him of that which is guaranteed to every man in this land of equal rights and freedom.

I maintain, further, that it is the duty of Virginia to protect alike all property, regardless of its character. Much capital has come within our borders; we are inviting more. We have railroads, factories, mines and innumerable industrial enterprises, giving employment to our skilled workmen, artisans and mechanics, as well as our humble laborers; we are encouraging the building and opening of more. Will more capital come and more industrial enterprises spring from it, if the capital and enterprises now here are subject to the fury of lawless men? No. Let it once be understood that property rights are at the mercy of mobs, and that investors have no security in Virginia, and capital will flee from us as from a land of plagues, and we will retrograde more rapidly materially than we have advanced.

I will state that, in addition to the security given to the laborers who desired to work at Pocahontas, the great Virginia mines, in which wages were not cut, whose miners were satisfied, were enabled, as already stated, to continue their operations and double their output, and give employment to thousands of workmen, and the Norfolk and Western railroad, with 984 miles of her system in Virginia, and paying \$73,735.16 State taxes, \$92,495.00 county taxes and \$33,969.82 corporation taxes, aggregating \$200,201.78 this year and nearly as much last year, was saved from probable serious injury.

On still another occasion the military was called into service. In the summer of 1894 a body, known as "Coxey's Army," consisting of from six hundred to a thousand men, who had been gathered principally from the Pacific and Northwestern States, reached the District of Columbia, bent on a "fool's mission," to direct congressional legislation. After remaining in camp in the District for a few days they were required to leave, whereupon they moved across the Potomac into Virginia and established a camp in Alexandria county, near Rosslyn. They were a thriftless lot, and became at once a charge upon the three hundred white tax-payers in that county. They refused to work when it was offered to them, and prowled about for miles around in gangs, begging, terrorizing the women of the section who were generally left during the daytime without male protectors. They were

vagrants and liable to treatment under the vagrant statute of the State, but their numbers rendered the law inoperative. The citizens appealed to me for aid, and my mail for weeks was filled almost daily with letters from female residents praying for relief. There had, however, been no actual breaches of the peace, nor threatened violence, and I was powerless to act in the absence of a call from the civil authorities. Finally a call came from the sheriff and board of supervisors, and immediately I ordered a military force to proceed to the locality and require the entire "army" to leave the State. My orders were obeyed at once, and the county of Alexandria was relieved of the horde of vagrants, beggars, and cranks that for weeks had been disturbing the peace of mind of her defenceless women and eating up the substance of her people.

This ended "Coxeyism," and I do not think Virginia will again be afflicted with it. The cost of the military on this occasion was about three-tenths of one cent on the thousand dollars of the taxable property of the State.

My report as to the use of the military is now concluded. It has occupied much space, but I have given you all the facts, as my duty required. In every instance there were direct calls from the sheriffs of the various counties, except in the case of Pocahontas, and in that the sheriff, while not calling directly, communicated the facts to me, leaving me to determine, indicating, however, very clearly, that, in his opinion, troops were necessary, and then ordering them almost instantly to the scene of the disturbance when they were placed in his reach.

Before concluding this branch of my message, I must in the strongest terms commend the volunteer soldiers of the State, officers and men, for their ready response to every command and their faithful discharge of every duty, at the sacrifice of their comfort and business interests.

HORSE-RACE GAMBLING.

Gambling on horse races has become a shame and disgrace to Virginia. It has been carried on the year round, and has attracted the gambling fraternity, including the worst element of it, from every section of the country, and invited the youths of the State to the track to be corrupted.

The General Assembly, at its last session, finding that there was no statute prohibiting book-making, pool-selling, &c., and that this species of gambling was being conducted constantly at Jackson City, in Alexandria county, passed an act making it unlawful for any person or persons or association of persons, corporation or corporations, to sell or make books, pools or mutuels upon the result of any trial of speed or power of endurance of animals or beasts, &c., anywhere within the State, *except* upon the grounds owned and controlled by agricultural associations,

county or city fairs, driving parks or driving clubs therefore chartered. The special object of this act was to break up the gambling dens, where pool-selling, &c., was done at Jackson City, and which had made that locality a veritable pest spot for years.

It was represented and believed by the General Assembly that the privilege of pool selling or making books, &c., on the grounds of agricultural associations or fairs and driving clubs or parks then in existence would not be used to encourage gambling and create gambling places. The bill was presented to me on the 3d day of March, 1894, five days before the session of the General Assembly expired by limitation. I objected to the exception in favor of agricultural associations or fairs and driving clubs or parks, but being assured that the passage of no other bill on the subject could be secured on account of the lateness of the session, and believing that it would close the dens at Jackson City and that the managers of the agricultural fairs and driving parks in the State would use the privilege carefully, I thought it best to approve the bill and at least reduce the evil to a minimum, and accordingly, on the 3d day of March, 1894, I appended my signature to the act.

But, while the act had the effect of closing the pool shops, &c., at Jackson City, they were simply transferred to two other places, short distances therefrom.

By virtue of a charter granted by the General Assembly, at the session of 1885-'6, to the Grange Camp Association of Northern Virginia, whose franchises were secured by persons who are said to reside in Washington City, a driving park was established a few hundred yards from Jackson City and the long bridge spanning the Potomac river at Washington City, and there daily during the fall of 1894 and the winter of 1894-'5, and, with slight intermissions, to the present time, in all seasons and weather, racing, pool-selling and book-making, &c., have been carried on, in bold defiance of the spirit and intention of the General Assembly and the act of March 3, 1894. To these grounds the gamblers from every direction have repaired, and on account of their proximity to the city of Washington, they have attracted the worst element as well as the youths of that city. So corrupting, demoralizing and shameful have the practices become that I have been appealed to in the most earnest terms by the respectable citizens and Board of Trade of the national capital for relief. But as these outrageous acts have been committed under cover but in abuse of the act of March 3, 1894, I have found that both myself and the honorable judge of the County Court of Alexandria county have been utterly powerless to interfere.

The other place to which I have referred is nearer the city of Alexandria, on the line of the Southern Railway, but almost as accessible to Washington City as the Alexandria Island park. It is known as St. Asaph, and has differed in no material particular,

so far as I am informed, from Alexandria Island park, except that there has been no winter racing on its track. In great measure the same element frequents it, and pool-selling, book-making, &c., mark the constant meetings on its grounds.

I earnestly recommend that the act of March 3, 1894, be amended by striking out the exception in favor of agricultural associations or fairs, and driving clubs or parks.

Let the selling of books or making of pools or mutuels be absolutely prohibited in the State of Virginia. Other States have driven horse-race gambling from their borders; enlightened public sentiment is against it; public morals condemn it. Will this State continue to make her borders the rendezvous and refuge of the gamblers driven away from Jersey City and Guttenburg? Betting at faro, wheel-of-fortune or keno table is prohibited and punished. Why permit it on a horse-race? Upon what principle can one be prohibited and the other licensed? Is it immoral and degrading to gamble with cards, but moral and elevating to gamble on horse-racing? I am sure you will answer these questions as the moral and orderly masses of Virginia expect you.

GRANGE CHARTER.

Recurring to the subject just presented, I desire to refer to the gross perversion of the charter of the Grange Camp Association of Northern Virginia, granted by the General Assembly at its session of 1885-'6. Special attention is called to the purposes of the charter, set forth in the preamble: "The fostering and development of agriculture and its interests, as well as the mutual care, aid, and protection of its members in time of sickness or distress, and the care of the widow and orphan, and other benevolent purposes; for the purpose of holding fairs in the interest of agriculture, and of securing the advantages of co-operation in all matters affecting their interests and mutual improvement as agriculturists." (See Acts 1885-'6, page 256.)

Under this charter grounds were purchased in Fairfax county, and upon them suitable buildings erected, and several fairs conducted by the Grange Camp Association of Northern Virginia; but for two or three years, or longer, prior to 1894, there were no exhibitions or fairs held, and I am informed the enterprise had been virtually abandoned by the association. In the spring of 1894 or winter preceding, the franchises of said charter were in some manner secured, as already stated, by certain persons in the city of Washington, and these persons, claiming the right to act under said charter, established the Park at Alexander Island, heretofore mentioned, many miles distant from the original location in Fairfax county, and have, in a most bald-faced manner, perverted the purposes of the charter by making their driving park simply a place, as stated before, for horse-race gambling, book-making, pool-selling,

&c., at all seasons. They have done nothing to foster and develop agriculture and its interests. They have not given care, aid and protection in time of sickness or distress, to the members of the Grange Camp Association of Northern Virginia, nor cared for the widow and orphan, nor promoted other benevolent purposes. They have not held fairs in the interest of agriculture, nor secured the advantages of co-operation in all matters affecting the interests and mutual improvement of the members of said association as agriculturists; but, in a word, the charter granted for high and commendable objects has been, and is being, used for gambling and immoral purposes only, and under the shield of a charter obtained by an honorable association—a body of men engaged in “a calling the purest of all callings”—gamblers are daily pursuing their nefarious vocations, debauching youth, corrupting early manhood and robbing all who come within the reach of their filching fingers.

What more are they doing? Section 5 of the charter act aforesaid relieves the Grange Camp Association of the payment of all State, county, or corporation taxes—a concession in the interest of agriculture—and now these people, standing in the shoes of the members of the Grange Camp Association, are claiming, or can claim, exemption from all taxation.

In view of the facts I have just given, it is hardly necessary for me to say that I recommend the prompt repeal of the act approved February 26, 1886, entitled “An act to incorporate the Grange Camp Association of Northern Virginia.”

LAWLESSNESS IN ALEXANDRIA COUNTY.

Your special attention is directed to the condition of affairs along the Potomac river, in Alexandria county. From Jackson City to the line of Fairfax county, a distance of five miles, more or less, the laws of this State have been for a long period put at defiance, and that part of Virginia's territory made a typical Botany Bay for the criminal and degraded classes of Washington City. There gambling saloons and disreputable houses display their brazen fronts day and night, and every species of crime is committed. The law officers are either powerless, or they wilfully neglect their duty. Something must be done to relieve Virginia of the odium cast upon her by the existence of such a place on her soil. The majesty of the law must be asserted. As the Executive, I have no authority. The judge of the County Court has been unable to suppress the lawlessness, because his authority under the statute is inadequate.

I would recommend that a special act be passed empowering the judge of said court to suspend the sheriff, or any justice of the peace or constable of said county, whenever, in his opinion, said officer has failed to do his duty, such suspension to continue until a hearing is had before a jury on a motion to remove said officer; and that said judge be further empowered to appoint as many

special justices of the peace and constables as he may see fit, either in term-time or vacation. I further recommend that said judge be authorized to remove any criminal case pending in his court to the county court of some adjoining county for trial, whenever, in his opinion, the demands of justice and the due enforcement of the laws require it. These powers will, of course, be extraordinary, but "extreme remedies are very appropriate for extreme diseases." Radical measures must be adopted to relieve the locality of its morally-leprous character, and of this you will be fully convinced when you come to investigate the facts, for they could hardly be exaggerated.

PRIZE-FIGHTING.

Prize-fighting has repeatedly occurred in the State within the last two years. It has been impossible to convict the participants, because the spectators have been in sympathy with the disgraceful affairs; and, however brutal the contest, in the opinion of these sympathizers, when introduced as witnesses, it was not a prize-fight, but an innocent glove contest. Men in the ring have assaulted each other in a manner which, if done elsewhere, would have made them amenable to severe punishment; but, as the assaults were made in the "manly-art" ring, it was regarded as harmless amusement. These exhibitions are neither innocent, harmless nor manly, but brutal as a bull or dog fight. They are degrading in the extreme, and tend to inculcate in the minds of the young that it is better to become a champion prize-fighter than to excel in the mechanic arts, trades or professions.

The people everywhere are manifesting a determination to suppress these shameful exhibitions, whether they are called prize-fights or glove-contests, and recently the legislatures of New York and Texas passed prohibitory acts, with severe penalties, for violations.

I recommend the amendment of sections 3693 and 3694 of the Code, so as to conform to enlightened public sentiment, making prize fighting a felony, and glove contests—whether in private or public, in a park, club, or other place, for admission fees, a purse, or any other thing, directly or indirectly—also a felony.

THE CAPITOL.

I would recommend an appropriation to put a new metal roof with metal rafters on the Capitol. I am informed by an experienced architect that the safety of the building requires it. Now that the library has been removed, this old structure, so historic, with its clustering memories, and so many valuable records, as well as invaluable statuary and paintings still remaining in it, ought to be preserved, and I suggest that it should be made as near fire-proof as possible.

CONCLUSION.

Now, having done my duty—imperfectly it may be, but to the best of my ability—I submit this, my message, to you, with implicit faith in your devotion to the welfare of this Commonwealth and abiding confidence in your wisdom. I shall co-operate earnestly with you in your patriotic efforts to advance the interests, promote the prosperity, preserve the honored name of Virginia and hold her above reproach. I beg to express the hope that your session may be harmonious and pleasant, that in the providence of God your health may continue good, and when your labors are ended, you may return to those who sent you, and receive their plaudits as faithful servants.

CHAS. T. O'FERRALL.

APPENDIX.

STATE DEBT.

GOVERNOR O'FERRALL'S LETTER TO GOVERNOR McCORKLE.

COMMONWEALTH OF VIRGINIA,
EXECUTIVE DEPARTMENT,
RICHMOND, January 5, 1895. }

To His Excellency, William A. McCorkle, Governor of the State of West Virginia, Charleston, W. Va.:

SIR,—The General Assembly of Virginia, at its last session, passed a joint resolution, which was approved March 6, 1894, entitled "A joint resolution to provide for adjusting with the State of West Virginia the proportion of the public debt of the original State of Virginia proper to be borne by West Virginia; for the application of whatever may be received from West Virginia to the payment to those found to be entitled to the same," and, as requested therein, I now have the honor to communicate the same to you, and through you to the Legislature of your State. (See certified copy, appended hereto.)

It is with pleasure that I recall the fact that from the formation of the State of West Virginia to the present time the State has recognized her obligation to meet and dispose of the question of the old debt of Virginia in an equitable manner. As a prerequisite for her admission into the Union, she agreed to pay a just proportion of the public debt of the Commonwealth of Virginia prior to the first day of January, 1861. The ordinance of the Convention which met in Wheeling in 1861, besides providing for the formation of the new State out of a portion of the territory of Virginia, contained this provision:

"The new State shall take upon itself a just proportion of the public debt of the Commonwealth of Virginia prior to the first day of January, 1861, to be ascertained by charging to it all State expenditures within the limits thereof, and a just proportion of the ordinary expenses of the State government since any part of said debt was contracted, and deducting therefrom the moneys paid into the Treasury of the Commonwealth from the counties included within the said new State during the same period."

In her first Constitution, which was ratified by a vote of her people in 1863, she

again recognized her obligation to assume an equitable proportion of said debt. Art. VIII, section 8, provides as follows:

"An equitable proportion of the public debt of the Commonwealth of Virginia prior to the first day of January, in the year 1861, shall be assumed by this State, and the Legislature shall ascertain the same as soon as may be practicable, and provide for the liquidation thereof by a sinking fund sufficient to pay the accruing interest and redeem the principal within thirty-four years."

Her Constitution of 1872 contains these provisions (Art. X, section 4):

"No debt shall be contracted by this State except to meet casual deficits in the revenue, to redeem a previous liability of the State," &c., &c.

"Sec. 5. The power of taxation of the Legislature shall extend to provisions for the payment of the State debt and interest thereon," &c.

After years of trouble and vexation, under an act approved on the 20th day of February, 1892, Virginia has concluded negotiations with the creditors of the State whose claims existed prior to the first day of January, 1861, as to the equitable proportion of the same to be borne by her, and a full and final settlement has been made by her with said creditors; but the amount which the State of West Virginia should pay is still unascertained, and can only be adjusted by the action of her General Assembly.

The creditors, learning that your State was not willing to negotiate directly with them without the privity of Virginia, have insisted that it was incumbent upon Virginia to undertake to effect a settlement. Responding to these solicitations, the General Assembly of this State passed the joint resolution which I now communicate. In taking this action, I beg to assure your Excellency that there was no disposition whatever upon the part of Virginia to interfere with the prerogative of the Executive and Legislature of West Virginia to deal with the question as to them may seem proper. Virginia has simply endeavored to remove the difficulties which appear to have been in the way, and to place it within the power of West Virginia to make a satisfactory adjustment.

The Commission created by the said joint resolution is composed of the following-named gentlemen—the first six chosen by the Senate and House of Delegates and the seventh appointed by me: Honorables Taylor Berry, H. T. Wickham, H. D. Flood, John B. Moon, H. H. Downing, Randolph Harrison, and Wm. F. Rhea. The Commission has been duly organized by electing Hon. John B. Moon Chairman, and has made the following report to me:

To His Excellency, Hon. C. T. O'Ferrall, Governor of Virginia, Richmond, Va.:

SIR,—The Commission constituted under the joint resolution of the General Assembly of Virginia, entitled "A joint resolution to provide for adjusting with the State of West Virginia the proportion of the public debt of the original State of Virginia proper to be borne by West Virginia," &c., approved March 6th, 1894, beg leave to report to your Excellency that the holders of a majority in amount of the certificates referred to in said resolution, exclusive of those held by the State, through the agency of the Board of Education and Sinking Fund Commissioners, have given to the Commission the assurances required by said resolution that they desired the Commission to enter into and to undertake the negotiation contemplated in said resolution, and will accept the amount so ascertained by the Commission, to be paid by the State of West Virginia in full settlement of their claims, as specified in said resolution; and the assurances so given are satisfactory to the Commission, and they are now ready and authorized, under the terms of said resolution, to enter into and undertake the negotiations contemplated in said resolution.

It should be added that the assurances aforesaid are, of course, open to examination by the Governor of West Virginia and the proper authorities of that State.

Very respectfully,

[Signed] JOHN B. MOON, *Chairman.*

Richmond, Va., January 2, 1895.

Now, submitting the whole matter, and expressing the hope that this question, which has so long been a subject of discussion and a source of more or less embarrassment to both States, will be speedily determined and finally settled, I have the honor to remain,

Yours very respectfully,

[Signed] CHAS. T. O'FERRALL.

CAPTURED BOATS.

REPORT OF LEGISLATIVE COMMITTEE.

Joint Resolution of the General Assembly of Virginia.

ADOPTED MARCH 21, 1894.

Resolved (the Senate concurring), That a committee of five, consisting of two members from the Senate and three members of the House of Delegates, be appointed, who may act separately or conjointly with a like committee to be appointed by the General Assembly of the State of Maryland, to whom shall be referred the message of the Governor of the Commonwealth this day communicating to the General Assembly of Virginia the joint resolution of the General Assembly of Maryland with reference to the conflict between the steamer Chesapeake and the dredging vessels mentioned in said message, together with a copy of the said joint resolution, whose duty it shall be to investigate and ascertain the facts in connection with the said conflict, the said Committee to have power to sit during the recess of the General Assembly, and to send for persons and to enforce the attendance of witnesses, and such other powers as may be necessary to enable the said committee to make a full and complete investigation of the subject referred to them.

Resolved, second, That the said committee, upon the completion of the investigation to be made by them hereunder, shall report the facts ascertained, together with their own conclusions as to the subject-matter of their investigation, to the Governor of the Commonwealth, who is hereby empowered to take such action as he may deem proper in the premises.

Resolved, third, That the said joint committee shall have power and authority, in their discretion, to employ such clerical aid as they may need.

Committee appointed under above resolution: James N. Stubbs and Charles P. Jones, on the part of the Senate, and R. H. Cardwell, R. E. Boykin, and John B. Moon, on the part of the House.

Copy.

J. BELL BIGGER, *Clerk, &c.*

To His Excellency, Chas. T. O'Ferrall, Governor of Virginia:

Pursuant to the resolution adopted by the Legislature of Virginia on the 2nd day of March, 1894, a copy of which is appended above, the committee appointed thereunder met at Crisfield, Maryland, on April 11, 1894, the committee appointed on behalf of Maryland, under a similar resolution adopted by the Legislature of that State, there being present of the Maryland committee Honorables Charles H. Carter, L. L. Waters, Lloyd Wilkinson and Wm. H. Legg; and it was there agreed that the two committees should act conjointly in the taking of testimony touching the capture of the Maryland dredging vessels, the "Wm. E. Price" and "C. W. Stevenson," by the Virginia police steamer "Chesapeake," on the 19th of February, 1894, and that the Maryland committee should first take their testimony, with opportunity to the Virginia committee to attend and cross-examine the witnesses introduced on the part of Maryland, and that the same course should be pursued by the Virginia committee, with a like privilege to the Maryland committee, each committee controlling the examination of their own witnesses, but the testimony taken by each to be reported by both committees, or copies thereof exchanged.

Accordingly, the examination of witnesses introduced by the Maryland committee, fifteen in number, was proceeded with and completed at Crisfield on the occasion named, and a copy of the depositions of these witnesses is herewith presented.

On the 3d of May, 1894, the Virginia committee met the full Maryland committee, Honorables Thomas G. Hayes, L. L. Waters, Charles H. Carter, Lloyd Wilkinson and William H. Legg, at Old Point, Va., when and where the depositions of nine witnesses, introduced on behalf of Virginia, were taken, and a copy of these depositions is also herewith presented.

Subsequently a number of conferences were had with the Maryland committee,

and the testimony taken in this investigation has been fully and freely discussed, with the view, if possible, of making a joint report; but it was finally determined that each committee should make a separate report to the Governor of their respective States.

The Virginia committee, therefore now reports as follows:

First. That the evidence shows conclusively that on the 19th day of February, 1894, the said two vessels, the "William E. Price," and "C. W. Stevenson," and about twelve others or more from the State of Maryland, at about 7 o'clock P. M., were engaged in illegal dredging for oysters on what is known as "Old Woman's Marsh" and Hurley's Rock," in Tangier Sound, Virginia, and, on being approached by the Virginia police boat, the "Chesapeake," the crew on the said dredging vessels opened fire, with rifles and other small arms, upon the steamer "Chesapeake," and, on the fire being returned from the "Chesapeake," these vessels sought to make their escape into Maryland waters, but kept up a fierce and continuous firing so long as the pursuit by the "Chesapeake" was continued. While in this continuous pursuit, and under this continuous firing, which was fierce and unrelenting from the Maryland vessels, the "Chesapeake," in the darkness of night, when shore lines were obscured, followed into Maryland waters, but, so soon as the captain in charge of the "Chesapeake" was informed that he was in Maryland waters, he ordered the firing from his boat to cease, and turned her immediately around and returned to Virginia waters. On his return he discovered first the "William E. Price" and then the "C. W. Stevenson" aground, and, supposing them to be in Virginia waters, they were brought off and towed down by the "Chesapeake" to Accomac county, and turned over to the officers of Accomac County Court, where they now are.

When these vessels were taken, as above stated, the captains in charge had made their escape, leaving on board the crew and a large quantity of culled and uncultured oysters, taken, without doubt, from Virginia waters.

Second. That these same vessels, the "William E. Price" and "C. W. Stevenson," together with other vessels from Maryland, were, on Saturday, February 17, 1894, in the early morning, and before daylight, just two days prior to their capture, engaged in illegal dredging in Virginia waters, and on "Old Woman's Marsh" or "Hurley's Rock," at or near the place of their capture; and, on being approached by the Virginia police boat "Tangier," ran off into Maryland waters, but returned again to Virginia waters about 8 o'clock A. M., and began dredging, and on being again approached by the Virginia police boat "Tangier," a fire was opened almost simultaneously from these vessels, and the "Tangier," but the "Tangier," being overpowered and her ammunition exhausted, was driven off and out of Tangier Sound. Again, on the afternoon of Monday, the 19th of February, about 5 o'clock, these same vessels were back in Virginia waters dredging, and, when approached by the "Tangier," again overpowered her, and forced her to retire in search of the "Chesapeake" for aid.

The evidence further shows that these same vessels, the "William E. Price" and "C. W. Stevenson," and other vessels from Maryland, have been oft and repeatedly engaged for several years, certainly as far back as 1885, in illegal dredging in Virginia waters (see the testimony of Captain E. J. Corbin, beginning on page 115 of the type copy of depositions taken at Old Point, and the testimony of other witnesses following), which testimony is not contradicted, but is rather corroborated by the fact that many of the witnesses introduced on behalf of Maryland, when asked, on cross examination, as to whether they had been illegally dredging for oysters in Virginia waters, either of their own accord or by the advice of the chairman of the Maryland committee, declined to answer.

And it may be noted here that nearly all the witnesses on the part of the Maryland, when asked as to whether they had been violating Virginia laws in illegal dredging in Virginia waters, declined to answer such questions, and all other questions tending to disclose that the witness had been in the habit of violating Virginia law by dredging in her waters.

Thus it will be seen that the provocation to pursue even into Maryland waters for capture these constant and persistent violators of the laws of Virginia, made for the preservation of her property for her own citizens, was very great, yet your committee is satisfied that it was not the intention of the officers in charge of the police boat, the "Chesapeake," to invade Maryland's territory. The evidence as to the exact locality of the capture of these vessels is conflicting, to say the least of

it; but if our own officers are to be believed, and they are not impeached, they were actually captured in Virginia waters, though the "William E. Price" was very near the dividing line. (See the depositions of Captain A. J. Reid and James O. Streiggles, found on pages 4 and 120 of the type copy of depositions taken at Old Point; see also deposition of William Wil-on, page 94.)

As the evidence taken with reference to the exact locality of the capture of these vessels is, as above stated, conflicting, and as it clearly appeared that the "Chesapeake" continued the pursuit and firing into Maryland waters, your committee was brought directly to the consideration of the question as to whether or not the officers of the Virginia boat, charged with the protection of Virginia waters against marauders, and under the conditions and surroundings above given, were justified in making the capture in Maryland waters.

Mr Wharton, discussing "Jurisdiction," says: "To arrest an offender in a foreign sovereign's territory, either by force or stealth, is a violation of the laws of nations. * * * Any invasion of a friendly territory by a foreign armed force is forbidden by international law. An important qualification of this rule exists in cases where the invasion is made for the purpose of seizing marauders who have made such foreign territory a temporary refuge. This was the justification of the action of the British Government in 1838 in the seizure and destruction of the "Caroline" when in a port of the State of New York, and the same plea was set up more recently by the United States when it was necessary to pursue and seize on Mexican territory bandits who, after plundering the Texas border, fled into Mexico." (See Wharton's Commentaries on American Law, section 145 note 3.)

In the report of the Honorable Mr. Schleicher, from the Committee on Foreign Affairs, to the Forty-fifth Congress, November 1st, 1877, on the border troubles between the United States and Mexico, he quotes from a letter of Governor Coke (of Texas), vindicating the order which had been given to the officer in command of the State troops to cross the river when in pursuit of raiders, as follows: "It is because each State or nation has undertaken to restrain its people from making war on the people of its neighbors that the law of nations forbids an armed force from one entering the territory of another. The right of immunity grows out of and depends upon the performance of this duty, which each power owes to the other. No State has surrendered the right of defence of its people in its own way against aggressions from neighboring States or people, except upon the promise and performance of the great duty towards itself, which all nations owe each other, of so governing its people as that they shall not deprecate or make war upon other nations, or any of their people or territory. I apprehend that national courtesy, comity and amity have never been required by the law of nations to be carried to the romantic extent of surrendering the great national right of self-defence against the constant infliction of serious, permanent and wrongful injury upon the people of one nation by those of another, although the attack may be unauthorized by the government of the territory from which it comes." And again quotes from Honorable Mr. Evarts, then Secretary of State, writing to Minister Foster, as follows: "The opinion of Colonel Shafter, that the only way to check the atrocities is to follow the delinquents into Mexico, and there attack them in their lairs, is probably well founded. As the authorities of that country seem to be unable or unwilling to check the depredations, the President may soon have to take into serious consideration the expediency of acting pursuant to Colonel Shafter's opinion. Undoubtedly it would be preferable to enter Mexican territory for the purpose indicated with the consent or with the acquiescence of the Government of that Republic. If, however, these should be refused, and the outrages persisted in, this Government may deem itself warranted in punishing the wrong-doers, wherever they may be found." The said report, from which these quotations are made, may be found in the Reports of Committees, Second Session, Forty-fifth Congress, 1877-8, Volume III.

Says Dr. Phillimore, in his Commentaries on International Law: "The right of self-preservation is the first law of nations, as it is of individuals. * * *" And Mr. Justice Harlan, in his opinions concerning the Behring Sea troubles between the United States and Great Britain in 1893, after quoting from this learned author and from other authors, while discussing the doctrine of self-protection and self-preservation, says as follows: "The force of this principle [right of security] is not lessened by the suggestion that it relates to a time of war to the rights of belligerents. The right of self-protection or self-preservation is as complete and

perfect in time of peace as it is in time of war. The means employed when war prevails will not always be used in time of peace. The test, both in war or in peace, is whether the particular means used are *necessary* to be employed for the purposes of self-protection against wrong and injury." (See pages 193, 194 and 195 of printed opinions of Mr. Justice Harlan.)

In 1st Phillimore's International Law, side page 230, this learned author further says: "The State (nation) has a right to protect itself from piratical incursions from a neighboring State, which, from weakness or neglect, permits such incursions to be made from her borders, and the invaded State may enter the territories of her neighbor, and destroy the preparations of war therein made against them."

According to Mr. Vattel, "the right of security"—that is, the right of this Commonwealth to protect her territory from injury, and to protect the property and lives of her citizens—is a *jus gentium* and a perfect right. He says: "A nation has the right to resist an injurious attempt, and to make use of force in every honorable expedient against whosoever is actually engaged in opposition to her, and even to anticipate his machinations, observing, however, not to attack him upon vague and uncertain suspicions, lest she should incur the imputation of becoming an unjust aggressor."

"When evil is done the same right to security authorizes the offended party to obtain complete reparation, and to employ force for that purpose, *if necessary*. Finally, the offended parties have the right to provide for their future security, and to chastise the offender by inflicting upon him a punishment capable of deterring him thenceforward from similar aggressions; and to intimidate those who might be tempted to imitate him. They may even, *if necessary*, disable the aggressor from doing further injury. They only make use of their right in all these measures which they adopt with good reason, and if through those results to him who has reduced them to the necessity of taking such steps, he must impute the consequences only to his own injustice." (Vattel & Polson's International Law, c. 4, sections 49, 50, &c., pages 154-5.)

The right to seize vessels engaged in illicit traffic is not confined to their harbors, nor to the range of batteries. (Church v. Hubbard, 2 Cranch, 187.)

From these authorities it would seem clear that if the necessity exists for Virginia to pursue the marauders who have been persistent in their depredations upon Virginia territory, Virginia would have the right to pursue the offenders for capture into Maryland waters.

Now, if the authorities of Maryland had theretofore refused to extradite an offender against Virginia laws, when proper requisition was made, then we might contend with effect that this necessity existed for our officers to cross the line and bring back offenders; but such is not the case, and until such is the case, or until it appears that the authorities of Maryland take no heed of the notice of these continuous incursions into Virginia territory, in the opinion of your committee we cannot claim that right.

The controversy over the border troubles between the United States and Mexico led to a treaty between the two Governments that put an end to all these troubles, and the controversy between the United States and Great Britain over the capture and destruction of the "Caroline," as well as the Behring Sea trouble, was adjusted by agreement; so that there has been no judicial determination of the question as to the right of one sovereign to pursue offenders into the territory of another.

So it is to be hoped that the controversy growing out of the capture of the two vessels in question may lead to the enactment of such laws by the State of Maryland as will put an end to such troubles in the future. At the last session of the Legislature of Virginia an act was passed, (found on pages 955-'6, Acts of Assembly 1893-'4,) giving to Maryland the right to pursue offenders against her laws a distance of ten miles in Virginia waters, for capture, upon the condition only that Maryland should enact a similar law, giving to Virginia reciprocal rights; but the Legislature of Maryland failed or refused to pass such an act, which fact is to be regretted, as the enactment of such a law by Maryland would have given assurance that these incursions by the citizens of Maryland into Virginia territory would cease.

We cannot but believe, however, notwithstanding the failure of the Legislature of Maryland to pass the act referred to, now that these continual invasions of Virginia's territory by Maryland's offending citizens has been brought fully to their attention, that her authorities will henceforth heartily co-operate with the authorities of Virginia in suppressing these wrongs.

The interests of the two States are so closely connected, and their relations heretofore have been so cordial and friendly, that such a controversy as now exists over the capture of these vessels is to be deplored; but it is apparent that, unless these wrongs are suppressed, Virginia will become justified in pursuing offenders, especially in a continuous pursuit for their capture, into Maryland's territory; and, since it has been judicially determined by the Supreme Court of the United States, on April 3d last, in the cases of Robert L. Wharton and Severn Nelson, Marylanders, convicted in the County Court of Accomac, in April, 1893, for unlawful dredging in Pocomoke sound, that Virginia has exclusive right of fishing and oystering in those waters, there can be no sort of justification or excuse for these depredations by the citizens of Maryland being repeated.

And it may be noted here also that William Marsh, another citizen of Maryland, was, just one year prior to the conviction of Wharton and Nelson, convicted in the same court for like offence upon "Hurley's Rock," in Tangier Sound, while it has never been even claimed that the citizens of Maryland have co-equal rights with the citizens of Virginia in the waters of Tangier Sound south of the dividing line; and the Supreme Court of the United States, in the cases of Wharton and Nelson fully recognized that the dividing line was defined and marked by the award of Black & Jenkins, January 16th, 1877.

If we were dealing with the individuals who have so recklessly and persistently violated our laws, the line of duty would be plain, and our conclusions quite different; but we are dealing with the sovereignty of a sister State; hence your committee, in the conduct of this investigation and the consideration of the evidence, together with the circumstances and conditions surrounding the capture of the vessels in question, which has been careful and complete, have not been unmindful of the cordial and friendly relations which have heretofore existed between the two States, the continuance of which is greatly to be desired, especially as the interests of the two States are so closely and intimately connected, and as the evidence as to the exact locality of the capture of these vessels is conflicting, and this being the first case of the character which has arisen; and in view of the fact that the officers of the "Chesapeake," though unintentional, invaded Maryland's territory, firing upon her citizens, and relying upon the full co-operation of the authorities of Maryland with our own officers to prevent such troubles in the future, we recommend that your Excellency, by authority conferred upon you by the resolution above, tender the captured vessels, the "William E. Price" and "C. W. Stevenson," to the Governor of the State of Maryland, in deference to her request, to be dealt with as the authorities of Maryland may deem proper, and that a suitable acknowledgment of regret be made to the Governor of Maryland that the Virginia police boat "Chesapeake" entered Maryland territory on the occasion of the capture of said vessels.

Most respectfully submitted,

[Signed] R. H. CARDWELL, Chairman.

June 20, 1894.

GOVERNOR O'FERRALL'S LETTER TO GOVERNOR BROWN.

COMMONWEALTH OF VIRGINIA,
EXECUTIVE DEPARTMENT,
RICHMOND, VA., September 5th, 1894. }

To His Excellency, Frank Brown, Governor of Maryland, Annapolis, Md.:

Sir,—On the 2d of March, 1894, the General Assembly of Virginia adopted the following joint resolution, of which you were duly informed:

Resolved (the Senate concurring), That a committee of five, consisting of two members from the Senate and three members of the House of Delegates, be appointed, who may act separately or conjointly with a like committee to be appointed by the General Assembly of the State of Maryland, to whom shall be referred the message of the Governor of the Commonwealth, this day communicating to the General Assembly of Virginia the joint resolution of the General Assembly of Maryland with reference to the conflict between the steamer "Chesapeake" and the dredging vessels mentioned in said message, together with the

copy of the said joint resolution, whose duty it shall be to investigate and ascertain the facts in connection with the said conflict, the said committee to have power to sit during the recess of the General Assembly, and to send for persons and to enforce the attendance of witnesses, and such other powers as may be necessary to enable the said committee to make a full and complete investigation of the subject referred to them.

Resolved, second, That the said committee, upon the completion of the investigation to be made by them hereunder, shall report the facts ascertained, together with their own conclusions as to the subject matter of their investigation, to the Governor of the Commonwealth, who is hereby empowered to take such action as he may deem proper in the premises.

Resolved, third, That the said joint committee shall have power and authority in their discretion to employ such clerical aid as they may need.

Pursuant to this resolution, the committee appointed made an investigation, and have submitted their report with their conclusions to me for such action as I may deem proper in the premises. A copy of said report is hereto appended.

The facts as found by said committee are as follows: That for years, certainly as far back as 1885, the oyster-beds of the State of Virginia, in the Tangier and Pocomoke sounds have been depredated upon and large quantities of oysters taken therefrom by citizens of Maryland, and the State of Virginia has been thereby deprived not only of her property illegally, but her oyster-beds have been greatly injured by the dredging-machines used by said Maryland depredators. That on the 17th day of February last the "William E. Price" and "C. W. Stevenson," and other vessels, owned and manned by citizens of Maryland, in the early morning, and before daylight, were discovered by the Virginia oyster police schooner "Tangier" to be engaged in dredging for oysters in Tangier sound, on what are known as "Old Woman's Marsh" and "Hurley's Rock," within the territory of Virginia, and, when approached by said police schooner, retired into Maryland waters. That about 8 o'clock A. M. of the same day the said vessels returned to the said "Old Woman's Marsh" and "Hurley's Rock," and began to dredge thereon; that, when approached again by the police schooner, almost simultaneously the said vessels, with rifles, and the police schooner, with cannon and rifles, opened fire; but the police schooner, with her small crew and insufficient supply of ammunition, could not cope with the large force and many crews of the said vessels, and was compelled to retire and leave the depredators to pursue their illegal work without molestation. That again, on the afternoon of the 19th day of February last, about 5 o'clock, the said Maryland vessels were found in the locality and waters already described, engaged as before in dredging, and, when again approached by the said police schooner, they opened fire upon her, and again overpowered and forced her to retire from the scene and allow them to continue their depredations. That a few hours later, after nightfall, the Virginia oyster police steamer "Chesapeake" entered Tangier sound and proceeded to the scene of the trouble, and found the said vessels, including the "William E. Price" and "C. W. Stevenson," still engaged in dredging on "Old Woman's Marsh" and "Hurley's Rock"; that the said vessels, emboldened no doubt by their success in driving off the police schooner, as soon as they discovered the "Chesapeake," opened a vigorous fire upon her with rifles; the fire was immediately returned by the "Chesapeake," whereupon the said vessels, including the "William E. Price" and "C. W. Stevenson," retreated in the direction of Maryland waters, keeping up a constant fire upon the "Chesapeake" as she hotly pursued them. That while in this pursuit, which was continuous, and under this constant and sharp firing from the retreating vessels, the "Chesapeake," in the darkness of the night, and with shore marks obscured, crossed the dividing line between the States; but as soon as her commander was informed that he was in Maryland waters he ordered the firing from his boat to cease, and returned to Virginia waters, and, in returning, he found first the "William E. Price," and then the "C. W. Stevenson," aground, and, supposing they were in Virginia waters, he picked them up, and with their crews (the captains having fled in small boats) and their cargoes of culled and uncultured oysters, taken from Virginia waters, towed them to Accomac county, Virginia, and delivered them to the proper officials of said county, where they were subsequently condemned as forfeited to the Commonwealth, and ordered to be sold by the county court thereof.

This concludes a brief summary of the facts and circumstances connected with the conflict between the "Chesapeake" and the vessels aforesaid, and the capture of the "William E. Price" and "C. W. Stevenson," as set forth in the report of said committee.

Your Excellency must admit from this summary of facts, which are undisputed, that the patience of Virginia has been sorely tried by the depredations which have been committed for years upon her valuable oyster-beds by citizens of your State, and you can well imagine that the people of the Tidewater, as well as other sections of Virginia, familiar with the facts, and not devoid of a sense of State pride and regard for State interest, have felt that her grievances have been great and that they should be redressed. Your Excellency will further admit that the provocation given by the citizens of your State, who were engaged in dredging in Virginia waters and bidding defiance to her authority in the most desperate manner, on the 17th and 19th days of February last, respectively, for their pursuit, regardless of State lines, was very strong, and I am sure you will concede that the commander of the "Chesapeake" exercised great prudence and displayed a most commendable spirit when he abandoned the pursuit and returned to Virginia waters immediately upon being informed that he was in Maryland waters. In the simple performance of his duty, and within the territory of Virginia, he had been fired upon by marauders, and his life and the lives of his crew imperiled in the effort of these marauders to drive them off, as they had done the "Tangier" in two instances just previous thereto, that they might continue their thieving, and yet his presence of mind did not forsake him, and, as soon as he discovered that he had invaded the territory of your State, he withdrew from the pursuit and retired to the waters of his own State.

Your excellency will find, upon an examination of the report of the committee, an exhaustive discussion of the right of one State to pursue and arrest offenders in the territory of another. The conclusions of the committee I adopt as my own, after careful consideration, and, in the language of the committee, "it would seem clear that if the necessity exists for Virginia to pursue the marauders, who have been persistent in their depredations upon Virginia territory, Virginia would have the right to pursue the offenders for capture into Maryland waters."

But at the time of the conflict aforesaid, it is the opinion of the committee, in which I concur, that the condition of affairs between the States did not justify a pursuit into the waters of your State; and, recalling with pleasure the intimate relations which have existed between Maryland and Virginia, their friendship and blended interests, I desire now, as Governor of Virginia, to convey to you, as Governor of Maryland, my regret that the waters of your State were invaded by the steamer "Chesapeake" on the said 19th day of February last, and to express the hope that the cordial relations between the States may not in any wise be affected thereby.

It is, however, proper in this connection, in the interest of candor, and without duplicity, now that the authorities of Maryland have had their attention called directly to the constant and persistent depredations and violations aforesaid, to state that should it become necessary in the future, in order to protect the property and territory of Virginia, and bring to punishment violators of her laws, to pursue such violators from Virginia waters into Maryland waters, I shall claim and exercise that right. The oyster-grounds of Virginia are too valuable, and the rights of her citizens therein too important, to submit longer to these wrongs, committed by reckless citizens of your State, who bear no portion of Virginia's burdens, pay nothing into her treasury, and have no claim upon her bounty. Virginia has enacted wise and judicious laws for the preservation and building-up of her great oyster industry, and she prohibits non-residents from catching oysters in her waters, just as your State forbids the citizens of one county from catching oysters in the waters of another county, and, if Virginia's grounds can be properly guarded against piratical crafts and non-resident dredgers, the time is not distant when this industry will give employment and support to thousands more of her citizens, and her revenue will be largely increased from that source, to the relief of land and other property.

The next question for consideration is the course for me to pursue in reference to the captured vessels, the "William E. Price" and "C. W. Stevenson." Under the joint resolution of March 2, 1894, I am empowered to take such action as I may deem proper in the premises.

Directly after the adoption of this resolution, in order to avoid any complications which might arise by an enforcement of the judgment of forfeiture of the County Court of Accomac county, I directed the sheriff of said county to suspend the sale of said vessels, pending the investigation provided for in said resolution, and until further orders, which direction was followed, and the vessels are still in his custody.

The evidence as to the exact locality of the capture of the "William E. Price" and "C. W. Stevenson" is conflicting, but in my opinion, according to the weight of the testimony, they were captured in Maryland waters, contrary to the information which I received directly after the conflict. Having conceded that the pursuit into Maryland waters was not justified by the existing condition of affairs between the States, it would follow that I must hold with the committee—that the capture of these vessels in Maryland waters was improper, and that they should be turned over to you, in obedience to your request. It is true that the delivery of these vessels to you will result in their restoration to their owners, whose depredations upon the oyster-grounds of Virginia have been constant and persistent for years, and whose wanton violation of her laws caused their capture; but, however great may be Virginia's grievance against these marauders, the committee recommends the tender of the vessels to you, and their recommendation accords with my view of the matter. As soon, therefore, as I hear from you, I shall direct the sheriff of Accomac county to deliver said vessels to such agent as you may designate to receive them.

I hope that there may be no further trouble resulting from violation of the laws of Virginia in her waters by the citizens of your State, and I rely upon the hearty co-operation of yourself and your officers in the future protection of Virginia's rights. I trust that the necessity may not arise for me to exercise the right of pursuit aforesaid, and assure you that I shall stand ready at all times to aid you in the preservation of the rights of Maryland, and to condemn all illegal invasions of her waters by citizens of Virginia. As evidence of Virginia's desire to preserve the most cordial relations with Maryland, and afford to each State full opportunity, without complication, to arrest offenders, I point your Excellency to the action of the General Assembly of Virginia at its last session, in the passage of an act giving Maryland the right to pursue offenders against her laws into Virginia waters, conditioned upon the passage of a reciprocal act by the General Assembly of Maryland, but which reciprocal act, I regret to say, was not passed by your General Assembly.

With highest regards, I have the honor to remain,

Your obedient servant,

[Signed] CHAS. T. O'FERRALL,
Governor of Virginia.

GOVERNOR BROWN'S REPLY TO GOVERNOR O'FERRALL.

EXECUTIVE DEPARTMENT,
ANNAPOLIS, MD., September 11th, 1894. }

To His Excellency, Charles T. O'Ferrall, Governor of Virginia:

SIR,—I beg to acknowledge the receipt of your letter of the 5th instant, enclosing copy of the report of the joint committee of the General Assembly of Virginia in relation to the capture, on the 19th of February, 1894, by the Virginia police steamer "Chesapeake," of the two Maryland dredging vessels, the "Wm. E. Price" and the "C. W. Stevenson," and communicating to me your decision to surrender to me, as Governor of Maryland, those two vessels.

I am gratified to find that the evidence taken by the committee sustains the averment that the "Wm. E. Price" and "C. W. Stevenson" were within Maryland waters at the time they were captured, and that you concur in the recommendation of the committee to surrender these vessels to Maryland.

I accept with pleasure your expressions of regret that the "Chesapeake," in the pursuit of these vessels, invaded the territory of Maryland, and captured these vessels within our borders. And I cordially reciprocate the expressions of your desire that this occurrence shall in nowise disturb the cordial and friendly feelings

that have so long existed between Virginia and Maryland, the continuance of which is so important to the best interests of both of these Commonwealths.

Inasmuch as you have decided to surrender the two vessels in question, I do not see that I am called on to discuss the point as to whether any circumstances can arise under which the pursuit into Maryland waters, and the capture there of Maryland vessels, can be lawful; but in order that this waiver on my part of a discussion of this matter may not be misinterpreted, it is due to candor to say that I cannot admit the correctness of the general doctrine upon the subject which you announce.

Upon the general question at issue between Maryland and Virginia, it is proper to say, in justice to the citizens of Maryland, whose conduct you so severely denounce, that, in dredging in the waters of Tangier and Pocomoke Sounds, they have been only exercising a right which has long been claimed by them, and which had not been finally decided against them at the time of the seizure of the "Price" and "Stevenson."

Since then, in the cases of Wharton and Nelson, and Marsh, to which you allude, the Supreme Court of the United States has finally settled the question against the claims of Maryland, and I express the hope that hereafter this decision will be respected, and that no further collision shall take place between your oyster police force and the citizens of Maryland. You may rest assured that all proper efforts shall be made by the authorities of Maryland to enforce the letter and spirit of that final judicial determination of the question, which has so long been in controversy between the two Commonwealths.

In the execution of your decision, I respectfully request that you will give the necessary orders to the officers in whose custody the two vessels now are, to surrender them to Mr. Benjamin F. Marsh, whom I have designated as the State's agent to receive them, and who is fully authorized to take possession of them and to give to your officials the proper receipt.

Yours very respectfully,

[Signed]

FRANK BROWN,
Governor of Maryland.

The President laid before the Senate a communication as follows:

OFFICE OF CLERK OF THE HOUSE OF DELEGATES,
December 4th, 1895,

To the General Assembly:

I respectfully submit abstract of the reports of the clerks of courts, which are required to be made to the Clerk of the House of Delegates by section 3189 of the Code.

J. BELL BIGGER,
Clerk of House of Delegates.

This abstract will be printed. Doc. No. 1.

The President laid before the Senate a communication as follows:

VIRGINIA STATE CAPITOL,
RICHMOND, December 4th, 1895.

To the General Assembly of Virginia:

In conformity to law, we transmit herewith a certified copy of a joint resolution proposing an amendment to the fifth section of article 10 of the Constitution of Virginia, and providing for publishing said proposed amendment and certifying the same to the next General Assembly, which joint resolution was agreed to during the session of 1893-'94 by a majority of the members elected to each house, and which said joint resolution has been published in accordance with a provision therein contained; and we also transmit certificates of publication by the publishers of the newspapers in which said proposed amendment has been published.

J. D. PENDLETON,
Clerk of Senate.

J. BELL BIGGER,
Clerk House of Delegates.

The communication was referred to the Committee for Courts of Justice.

Mr. LOVENSTEIN presented an invitation from A. Saks & Co. to the senators to visit their establishment and examine an oil painting, valued at \$16,000. The painting represents a scene, "After the Storm"; and it was accepted, and, on motion of Mr. ECHOLS, 6 o'clock P. M., December 5, was fixed as the time.

Mr. LITTLE, by leave, presented

No. 1, A bill to fix the number of the board of directors in a joint stock company, where the capital stock does not exceed ten thousand dollars; which, on his motion, was read the first, and ordered to be read a second time, and referred to the Committee on General Laws.

Mr. LITTLE, by leave, presented

No. 2, A bill to incorporate the Bridgewater Construction Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the Committee on General Laws.

Mr. LITTLE, by leave, presented

No. 3, A bill to incorporate the Bridgewater and Forge Granite and Lumber Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the Committee on General Laws.

Mr. ECHOLS, by leave, presented

No. 4, A bill to amend and re-enact section one of an act passed January 30, 1845, entitled an act to incorporate the Augusta Female Seminary; which, on his motion, was read the first, ordered to be read a second time, and referred to the Committee on Public Institutions and Education.

Mr. ECHOLS, by leave, presented

No. 5, A bill to amend and re-enact chapter 473, Session Acts 1893-4, entitled an act to regulate the killing and capturing of deer and other game in the counties of Alleghany, Bath, Highland and Augusta, approved February 28, 1894, which, on his motion, was read the first, ordered to be read a second time, and referred to the Committee on Fish and Game.

Mr. MAYNARD, by leave, presented

No. 6, A bill to authorize the United States Government to acquire title and jurisdiction to a tract of land in the county of Norfolk, on the southern branch, which, on his motion, was read the first, ordered to be read a second time, and referred to the Committee on General Laws.

On motion of Mr. STUBBS,

Ordered, That the use of the Senate chamber be granted the History Committee of the Grand Camp of Confederate Veterans of Virginia this 4 P. M.

On motion of Mr. KEEZELL,

Resolved, That the Auditor of Public Accounts is hereby requested to furnish this body with a statement showing the indebtedness, if any, of each of the treasurers of the counties and cities

of the Commonwealth on the first day of August, 1895; also what indebtedness, if any, existed from said treasurers to the Commonwealth on the first day of December, 1895.

On motion of Mr. PARR, the Senate resolved itself into executive session, and, having dispatched the business before them, the doors were opened, and the following resolution, adopted in executive session, (the injunction of secrecy having been removed) was ordered to be spread upon the Journal of the Senate and a copy thereof forwarded to the Board of Education:

Resolved, That the Senate advise and confirm the following appointments of superintendents of schools to fill vacancies occurring during the recess, for the unexpired term ending June 30, 1897:

For Albemarle county—Isaac R. Barksdale.

For Grayson county—J. K. Fulton.

For Mecklenburg county—Thomas W. Smith.

For Montgomery county—J. H. Stephens.

For New Kent county—R. T. Lacy.

For Northampton county—S. S. Wilkins.

For Patrick county—J. E. Foster.

On motion of Mr. TREDWAY, the Senate adjourned until to-morrow, twelve o'clock.

THURSDAY, DECEMBER 5, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. George Cooper.

Journal of yesterday read by the clerk.

On motion of Mr. McILWAINE,

Resolved, That the clerk of the Senate be and he is hereby directed to have prepared and distributed daily amongst the Senators, before the morning hour, typewritten or printed copies of the calendar.

On motion of Mr. WILLIAMS,

Resolved, That the Secretary of the Commonwealth be requested to furnish to each member of the Senate a copy of the Code of 1887 and the acts since passed, to be returned at the close of the session.

On motion of Mr. WITHERS,

Resolved, That the Auditor of Public Accounts is requested at once to direct the Treasurers of each and every county in the State to furnish this body with a statement showing the total revenue for county purposes and from what sources derived, of their respective counties, for the fiscal year ending September 30, 1895; also the disbursements, and for what purposes made, in their respective counties, for the same period, and the tax rate in each county.

On motion of Mr. SANDS,

Resolved (the House of Delegates concurring), That a committee of two on the part of the Senate and two on the part of the

House of Delegates be appointed to assign and allot the various committee rooms, now ready for occupancy, to the respective bodies; and on his further motion ordered that the clerk communicate the passage thereof to the House of Delegates.

Mr. MORRIS, by leave, presented

No. 7, A bill to incorporate Alberene Railroad Company, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MORRIS, by leave, presented

No. 8, A bill to authorize the city of Charlottesville to convey in trust its water-works and gas-works to secure the payment of a certain portion of its bonded debt, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. MORRIS, by leave, presented

No. 9, A bill for the relief of James Hay, administrator of W. J. Cave, deceased, late Treasurer of Madison county, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. JORDAN, by leave, presented

No. 10, A bill to incorporate the town of Clover, in Halifax county, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. HAY, by leave, presented

No. 11, A bill to authorize the board of supervisors of Madison county to effect a loan for county purposes, which, on his motion, was read the first, ordered to be read a second time; and on his further motion (the rules being suspended therefor) was placed on the calendar.

Mr. KEEZELL, by leave, presented

No. 12, A bill to incorporate the town of Mount Crawford, in the county of Rockingham, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. HAY, by leave, presented

No. 13, A bill entitled an act to amend and re-enact section 4052 of the Code of Virginia, in relation to writs of error in criminal cases, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. HAY, by leave, presented

No. 14, A bill entitled an act to amend and re-enact section 3058 of the Code of Virginia, in relation to the jurisdiction of Circuit Courts, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. ECHOLS (by request), by leave, presented

No. 15, A bill to amend and re-enact section 3101 of the Code of Virginia, with reference to the reporter of the Court of Appeals, his

appointment and salary, and to amend and re-enact an act to amend and re-enact section 3102 of said Code, with relation to the duties of said reporter, as amended and re-enacted by an act approved February 27, 1894, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BUCHANAN, by leave, presented

No. 16, A bill to amend and re-enact an act approved February 4, 1892, entitled an act for the protection of deer in the counties of Bland, Tazewell, Smyth and Wythe, which, on his motion, was read the first, ordered to be read a second time; and on his further motion (the rules being suspended therefor) was placed on the calendar.

Mr. LOVENSTEIN, by leave, presented

No. 17, A bill to amend and re-enact section 5 of an act of the General Assembly of Virginia, approved February 12, 1894, entitled an act to establish the Law and Equity Court of the city of Richmond, and to define its jurisdiction and relation to the other courts of said city, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. WICKHAM, by leave, presented

No. 18, A bill to amend and re-enact sections 615 and 616 of the Code of Virginia, in reference to proceedings against delinquent Treasurers and their sureties, and the liens of judgments and executions against such Treasurers and their sureties, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. SANDS presented petition of the Richmond Grays Veteran Association, for the privilege of being the custodians of the bust of the late General William Mahone, now stored in the attic of the Capitol building, which, on his motion, was read, and referred to the committee on library.

On motion of Mr. TREDWAY, the Senate adjourned until to-morrow, twelve o'clock.

FRIDAY, DECEMBER 6, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. George Cooper.

Journal of yesterday read by the clerk.

Mr. LOVENSTEIN, by leave, presented

No. 19, A bill to authorize the Progressive Endowment Guild of America to deposit securities with the State Treasurer, and to make annual reports to the auditor, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. LECATO, by leave, presented

No. 20, A bill to amend and re-enact section 2224 of the Code of Virginia, relating to the prohibition of marriage within certain degrees, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. SANDS, by leave, presented

No. 21, A bill to amend and re-enact section 3705 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 3705 of the Code of Virginia, entering dwelling-house, or other house, vessel or car, in the night, with intent to commit murder, rape or robbery, etc.; approved February 12, 1894, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BROWN, by leave, presented

No. 22, A bill to authorize the construction by the Piedmont Soapstone Company of tramways or railroad not exceeding twenty-five miles in length, and the encumbering and disposal of the same, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee of roads and internal navigation.

Mr. WILLIAMS, by leave, presented

No. 23, A bill for the relief of Mrs. Elizabeth Covington, widow of a Confederate soldier, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MUSEBACH, by leave, presented

No. 24, A bill to appropriate ten thousand dollars towards the restoration and preservation of Jamestown, Va., which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BUCHANAN, by leave, presented

No. 25, A bill to amend and re enact section 2919 of the Code as amended and re-enacted by an act approved February 29, 1888, in relation to the limitation of suits, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. JACKSON, by leave, presented

No. 26, A bill to authorize the board of supervisors of Greenville county to issue bonds in payment for a new fire-proof clerk's office and fire-proof furniture for same, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. JONES, by leave, presented

No. 27, A bill to permit the registration of M. H. McClintic as a pharmacist, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

A message was received from the House of Delegates by Mr.

SAUNDERS, who informed the Senate that the House had agreed to the following joint resolution :

Resolved (the Senate concurring), That the General Assembly proceed this day at 12:30 P. M. to the election of auditor of public accounts, treasurer, secretary of the commonwealth, second auditor, register of the land office, superintendent of the penitentiary, railroad commissioner, and superintendent of public printing; that in the execution of the joint order, nominations shall be made for the whole number in the order in which they appear above, and then each house shall be notified of said nominations, then the rolls shall be called for the election of one of the officers in the order named, and when the roll shall have been called for the whole number, the presiding officer of each house shall appoint a committee of two, which, together, shall constitute a joint committee to count the joint vote in each case, and report the result to their respective houses.

The joint resolution was taken up and agreed to.

Ordered, That Mr. STUBBS inform the House of Delegates thereof.

On motion of Mr. MAYNARD,

Resolved, That when the Senate adjourns to-day it adjourn until Monday.

Subsequently, on motion of Mr. MAYNARD, the vote by which the resolution was agreed to was reconsidered and the resolution tabled.

An invitation from R. E. Lee Camp, No. 1, S. C. V., was received, inviting the Senate to attend an entertainment at their hall on Monday evening, December 9th, at 8 o'clock.

On motion of Mr. JONES, the invitation was accepted.

Mr. SOUTHALL made an ineffectual motion to go into executive session.

The hour of 12:30 having arrived, a message was received from the House of Delegates by Mr. HATHAWAY, who informed the Senate that that house was ready to proceed with the execution of the joint order of the day, which has for its object the election of certain State officers.

On motion of Mr. LITTLE,

Ordered, That he inform the House that the Senate was ready on its part to proceed.

For auditor of public accounts, Mr. MUSHBACH nominated Morton Marye, of Alexandria city.

For treasurer, Mr. JONES nominated A. W. Harman, Jr., of Rockbridge county.

For secretary of the Commonwealth, Mr. MAYNARD nominated Joseph T. Lawless, of Portsmouth.

For second auditor, Mr. STUBBS nominated Josiah Ryland, Jr., of King and Queen county.

For register of the land office, Mr. TURNBULL nominated Sidney P. Epes, of Nottoway county.

For superintendent of penitentiary, Mr. FAIRFAX nominated B. W. Lynn, of Loudoun county.

For railroad commissioner, Mr. MORRIS nominated J. C. Hill, of Albemarle county.

For superintendent of public printing, Mr. LOVENSTEIN nominated J. H. O'Bannon, of Henrico county.

There being no additional nominations, it was ordered that Mr. MORRIS inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. CABELL, who informed the Senate that there were no additional nominations in that house.

The roll was then called, with the following result:

For Morton Marye, - - - 37

Senators who voted for MORTON MARYE, are—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Withers—37.

For A. W. Harman, Jr., - - - 36

Senators who voted for A. W. HARMAN, JR., are—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Withers—36.

For Jos. T. Lawless, - - - 34

Senators who voted for JOS. T. LAWLESS, are—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Fairfax, Flood, Hale, Hay, E. H. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Withers—34.

For Josiah Ryland, Jr., - - - 36

Senators who voted for JOSIAH RYLAND, JR., are—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Withers—36.

For Sidney P. Epes, - - - 36

Senators who voted for SIDNEY P. EPES, are—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Hale, Hay, E. H. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Withers—36.

For B. W. Lynn, - - - 31

Senators who voted for B. W. LYNN, are—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Fairfax, Flood, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, and Wickham—31.

For J. C. Hill, - - - 29

Senators who voted for J. C. HILL, are—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Fairfax, Flood, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McIlwaine, Morris, Mushbach, Sands, Snead, Southall, St. Clair, Stubbs, Turnbull, and Wickham—29.

For J. H. O'Bannon, - - - 33

Senators who voted for J. H. O'BANNON, are—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Turnbull, and Wickham—33.

The PRESIDENT appointed Messrs. McILWAINE and BUCHANAN as a committee on the part of the Senate, to meet a similar committee on the part of the House of Delegates, and count the joint votes; who, through their chairman, reported.

For auditor of public accounts :

Whole number of votes cast,	-	-	-	131
Necessary to a choice,	-	-	-	66
Of which Morton Marye received	-	-	-	131

Morton Marye, having received all of the votes cast, was declared duly elected auditor of public accounts for the legal term of that office.

For treasurer :

Whole number of votes cast,	-	-	-	124
Necessary to a choice,	-	-	-	63
Of which A. W. Harman, Jr., received	-	-	-	124

A. W. Harman, Jr., having received all the votes cast, was declared duly elected treasurer for the legal term of that office.

For secretary of the Commonwealth :

Whole number of votes cast,	-	-	-	121
Necessary to a choice,	-	-	-	61
Of which Joseph T. Lawless received	-	-	-	120
William C. Elam received	-	-	-	1

Joseph T. Lawless, having received a majority of the votes cast, was declared duly elected secretary of the Commonwealth for the legal term of that office.

For second auditor:

Whole number of votes cast,	-	-	-	124
Necessary to a choice,	-	-	-	63
Of which Josiah Ryland, Jr., received	-	-	-	124

Josiah Ryland, Jr., having received all the votes cast, was declared duly elected second auditor for the legal term of that office.

For register of the land office:

Whole number of votes cast,	-	-	-	120
Necessary to a choice,	-	-	-	61
Of which Sidney P. Epes received	-	-	-	120

Sidney P. Epes, having received all of the votes cast, was declared duly elected register of the land office for the legal term of that office.

For superintendent of the penitentiary:

Whole number of votes cast,	-	-	-	113
Necessary to a choice,	-	-	-	57
Of which B. W. Lynn received	-	-	-	113

B. W. Lynn, having received all of the votes cast, was declared duly elected superintendent of the penitentiary for the legal term of that office.

For railroad commissioner:

Whole number of votes cast	-	-	105
Necessary to a choice	-	-	53
Of which James C. Hill received	-	-	105

James C. Hill having received all of the votes cast was declared duly elected railroad commissioner for the legal term of that office.

For superintendent of public printing:

Whole number of votes cast	-	-	118
Necessary to a choice,	-	-	60
Of which J. H. O'Bannon received	-	-	118

J. H. O'Bannon having received all of the votes cast, was declared duly elected superintendent of public printing for the legal term of that office.

A message was received from the House of Delegates by Mr. PILCHER, who informed the Senate that that House had passed No. 1, House bill entitled an act authorizing the town of Culpeper to borrow money. The bill was taken up, twice read, and on motion of Mr. HAY (the rules being suspended therefor) was placed on the calendar.

On motion of Mr. ECHOLS, indefinite leave of absence was granted Mr. GREEN.

On motion of Mr. SOUTHALL, the Senate resolved itself into executive session, and, having dispatched the business before them, the doors were opened, and the following resolution adopted in executive session (the injunction of secrecy having been removed) was ordered to be spread upon the journal of the Senate and a copy thereof forwarded to the board of education.

Resolved, That the Senate advise and confirm the following appointments of superintendent of schools to fill vacancies, occurring during the recess, for the unexpired term ending June 30, 1897.

For Cumberland county, J. L. Wilson.

For Wise county, W. H. Wamplen.

On motion of Mr. WICKHAM, the Senate adjourned until tomorrow 12 o'clock.

SATURDAY, DECEMBER 7, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk, was read as follows:

In House of Delegates, December 6, 1895.

The House of Delegates have agreed to Senate resolution for the appointment of a joint committee to assign and allot the various committee rooms now ready for occupancy to the respective bodies.

Mr. ECHOLS, by leave, presented

No. 28, A bill for the relief of James H. Todd, of Augusta county, authorizing the auditor of public accounts to issue a duplicate warrant, the original having been lost, for allowance as assessor of lands in South River district, Augusta county, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. McILWAINE, by leave, presented

No. 29, Imposing upon railroad corporations, and any receiver, trustee, lessee, mortgagee, or other person operating a railroad in the State of Virginia, liability for damage or injury sustained by

any person, including employees of such corporation, receiver, trustee, lessee, mortgagee, or other person, in consequence of the negligence or wilful wrong of any officer, agent, conductor, engineer, or other employee of such corporations, receiver, trustee, lessee, mortgagee, or other person, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. LE CATO, by leave, presented

No. 30, A bill to incorporate the town of Belle Haven, Accomac county, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. JONES, by leave, presented

No. 31, A bill to prohibit the running at large of horses, cattle, and other stock upon the public roads in parts of the Blue Grass district, in the county of Highland, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. LOVENSTEIN, by leave, presented

No. 32, A bill to prevent and punish discriminations in favor of individuals in the amount and payment of premiums charged for policies of life or endowment insurance, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

On motion of Mr. WITHERS, the vote by which his resolution was agreed requesting the auditor of public accounts to request county treasurers to furnish certain information to the Senate, was reconsidered, and on his further motion the following substitute therefor was adopted:

Resolved, That the auditor of public accounts is requested at once to request the clerks of each and every county in the State who are ex-officio clerks of the board of supervisors, to furnish this body with a statement prepared according to forms furnished by the auditor, showing the total revenue from levies for all purposes, and from what sources derived, of their respective counties, for the fiscal year ending September 30, 1895; also the disbursements, and for what purposes made in their respective counties for the same period, and the rate of levy in each county.

Mr. WICKHAM offered the following joint resolution which, on his motion (the rules being suspended therefor), was taken up and agreed to:

Resolved (the House of Delegates concurring), That in the printing of all bills hereafter introduced, which are intended as amendments to the now existing laws, the words intended as the amendments shall be printed in italics, and to enable the committee to carry out the provisions of this resolution, the patron of the bill shall indicate the words intended as amendments by underscoring them.

On motion of Mr. WICKHAM, ordered that the clerk inform the House of Delegates thereof, and request their concurrence therein.

On motion of Mr. LOVENSTEIN,

Resolved, That paragraphs II and IX of Rule 16, Section I, of the rules of the Senate be amended so as to read as follows:

II. A committee for courts of justice to consist of not less than seven nor more than thirteen senators.

IX. A committee on fish and game to consist of not less than seven nor more than eleven senators.

On motion of Mr. LOVENSTEIN:

Resolved, That the following senators be elected to constitute the standing committees of the Senate for the present session:

Privileges and Elections.—Messrs. Little, Flood, Fairfax, Maynard, Turnbull, Boykin, Kane, E. H. Jackson, and G. W. Jackson.

Courts of Justice.—Messrs. Jones, Little, Sands, Flood, Mushbach, Hay, McIlwaine, Tredway, Buchanan, Boykin, Mason, E. H. Jackson, and Turnbull.

General Laws.—Messrs. Sands, Stubbs, Mushbach, Williams, Barnes, Brown, Withers, Lowry, Kane, Snead, and Flanagan.

Roads and Internal Navigation.—Messrs. Echols, Wickham, Jordan, Hay, McIlwaine, Maynard, St. Clair, Green, Southall, Brown, Mason, Kane, and Hale.

Finance and Banks.—Messrs. Wickham, Lovenstein, Jordan, Jones, Fairfax, Green, Keezell, Hay, Echols, Morris, Barnes, Tredway, and McCune.

Public Institutes and Education.—Messrs. Stubbs, Echols, Southall, Morris, Barnes, Buchanan, LeCato, Keezell, Williams, Snead, Kane, Clement, and Claytor.

County, City and Town Organizations.—Messrs. Mushbach, Williams, Maynard, Buchanan, Withers, Brown, Clement, Lowry, E. H. Jackson, and Parr.

Agriculture, Mining and Manufacturing.—Messrs. Jordan, Southall, Fairfax, St. Clair, LeCato, Clement, Snead, Turnbull, Hale, and Parr.

Fish and Game.—Messrs. Flood, Little, Stubbs, Tredway, LeCato, Morris, Keezell, St. Clair, Boykin, Mason, and Claytor.

Enrolled Bills.—Messrs. Barnes, St. Clair, LeCato, Withers, Snead, Kane, Clement, Flanagan, and McCune.

To examine office of Clerk of Senate.—Messrs. Morris, Southall, and G. W. Jackson.

Rules.—President of Senate, president pro tem and chairman committee on privileges and elections.

Executive Expenditures.—Messrs. St. Clair, Wickham, and Claytor.

Library.—Messrs. Maynard, Stubbs, and Boykin.

To examine office of Auditor of Public Accounts.—Messrs. Withers, Mason, and Hale.

To examine Second Auditor's office.—Messrs. Southall, Turnbull, and Parr.

To examine office of Register of the Land Office—Messrs. Williams, LeCato, and McCune.

To examine the Treasurer's office—Messrs. Fairfax, Green, and Buchanan.

To examine Bonds of Public Officers—Messrs. McIlwaine, Jones, and Sands.

Printing—Messrs. Keezell, Flood, and G. W. Jackson.

On motion of Mr. PARR, two days' leave of absence was granted Mr. G. W. JACKSON.

No. 1, House bill entitled an act authorizing the town of Culpeper to borrow money, was taken up, read a third time, and passed with its title.

On motion of Mr. HAY,

Ordered, That the clerk notify the House of Delegates of the passage of the bill.

No. 11, Senate bill to authorize the board of supervisors of Madison county to effect a loan for county purposes, was taken up, read the second time, and, on motion of Mr. HAY, was ordered to be engrossed and read a third time.

No. 16, Senate bill to amend and re-enact an act approved February 4, 1892, entitled an act for the protection of deer in the counties of Bland, Tazewell, Smyth and Wythe, was taken up, read the second time, and, on motion of Mr. BUCHANAN, was ordered to be engrossed and read a third time.

On motion of Mr. LOVENSTEIN, the Senate adjourned until Monday at twelve o'clock.

MONDAY, DECEMBER 9, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. George Cooper.

Journal of Saturday read by the clerk.

Mr. SANDS, from the joint committee to allot the committee rooms, reported as follows:

Your committee, to whom were referred the duty of assigning the various committee rooms to the two bodies of the General Assembly, respectfully report as follows:

1. That they have assigned and allotted to the House of Delegates as committee rooms for that body rooms Nos. 1, 2 and 5 on the upper floor of the capitol building, and room No. 2 in the basement.

2. That they have likewise assigned and allotted to the Senate as committee rooms for the use of that body rooms Nos. 3 and 4 on

the upper floor of the capitol building, and rooms Nos. 1 and 3 in the basement.

Respectfully submitted,

CONWAY R. SANDS,
A. ST. CLAIR,
On part of Senate.
CHAS. SMITH,
JOS. E. WILLARD,
On part of House.

The report was taken up and adopted, and, on motion of Mr. SANDS,

Ordered, That he inform the House thereof.

Mr. LITTLE, by leave, presented

No. 33, A bill to incorporate the Fredericksburg Telephone Company, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MORRIS, by leave, presented

No. 34, A bill to prohibit any insurance company, incorporated or licensed, in this State from issuing a policy or policies of insurance on any single risk for more than ten per cent. of its capital stock; or if a mutual company, for more than five per cent. of its cash assets; and providing the penalty for so doing, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MORRIS, by leave, presented

No. 35, A bill to amend and re-enact section 1276 of the Code of Virginia, when treasurer may return securities to company, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. FLANAGAN, by leave, presented

No. 36, A bill to prevent lynching, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. KANE, by leave, presented

No. 37, A bill to permit Thomas Gant Alderson to obtain license to practice law in the courts of Virginia, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. SNEAD, by leave, presented

No. 38, A bill to amend and re-enact section 7 of an act entitled an act to amend and re-enact sections 3 and 7 of an act to incorporate the Empire Transportation Company, approved January 13, 1894, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. WICKHAM, by leave, presented

No. 39, A bill making the owner or other person in whose con-

trol, or on whose premises a dog usually stays, liable to the owner of sheep killed, maimed, or worried by such dogs for damages for such killing, maiming, or worrying, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. SOUTHALL, by leave, presented

No. 40, A bill to allow Mrs. W. C. Corson to draw from the treasury of the State any salary due the estate of William E. Corson, deceased, and to authorize the auditor of public accounts to pay the same, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. CLEMENT, by leave, presented

No. 41, A bill to amend and re enact section 603 of the Code of Virginia, in regard to the extension of time for the collection of taxes, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. CLEMENT, by leave, presented

No. 42, A bill to incorporate the town of Rivermont, in the county of Campbell, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. GREEN, by leave, presented

No. 43, A bill to amend an act entitled an act to incorporate the Bland County Land, Improvement, Development and Transportation Company, approved February 22, 1890, which, on his motion, was read a first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. BROWN, by leave, presented

No. 44, A bill to amend and re-enact section 2048 of the Code of Virginia, in relation to how boundary lines of lots and tracts of land made a lawful fence, as amended and re-enacted by acts approved January 16, 1890, and March 4, 1890, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. TREDWAY, by leave, presented

No. 45, A bill to amend and re-enact sections 2817, 2818, 2819, and 2820 of the Code of Virginia, in reference to interest, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. TURNBULL, by leave, presented

No. 46, A bill to amend and re-enact section 3991, Code of Virginia, 1887, entitled name of prosecutor to be written on indictment, &c., for misdemeanor, when required to give security for costs, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. TURNBULL, by leave, presented

No. 47, A bill to repeal section 3861, Code of Virginia, 1887, en-

titled "Shooting in or along a road, or etc., or in a street; how punished," which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. LOVENSTEIN, by leave, presented

No. 48, A bill to amend and re-enact section 613 of the Code of Virginia, relating to compensations of treasurers for receiving and paying over revenue, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. SANDS, by leave, presented

No. 49, A bill to grant conditional pardons to persons convicted and confined in the penitentiary or the jails of this Commonwealth, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

On motion of Mr. STUBBS, the following resolution offered by him was taken up and agreed to:

Whereas, The governor of Virginia, in his recent message to the General Assembly, states that the condition of "the Lee monument is inexcusable," and recommends "immediate action" be taken to protect and preserve the monument; now, therefore,

Resolved, That so much of the governor's message as refers to the "Lee monument" be referred to the committee on public institutions and education, and said committee be directed to make an examination and report forthwith to the Senate, by bill or otherwise.

The president laid before the Senate an invitation from Central Trade and Labor Council to attend a regular meeting of the council, on Tuesday evening, December 10, 1895. The invitation accepted by the Senate.

The following Senate bills were taken up, read the third time, and passed with their titles:

No. 11, Senate bill to authorize the board of supervisors of Madison county to effect a loan for county purposes.

No. 16, Senate bill to amend and re-enact an act approved February 4, 1892, entitled "An act for the protection of deer in the counties of Bland, Tazewell, Smyth and Wythe."

A communication was received from the House of Delegates by Mr. WILLARD, informing the Senate that that House had agreed to the report of the joint committee to allot the committee rooms to their respective bodies.

On motion of Mr. WICKHAM, the Senate adjourned until to-morrow twelve o'clock.

TUESDAY, DECEMBER 10, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Dr. George Cooper.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk, was read as follows:

In House of Delegates, December 9, 1895.

The House has agreed to Senate joint resolution, providing that in the printing of all bills hereafter introduced, which are intended as amendments to the now existing laws, the words intended as amendments shall be printed in italics; and to enable the committee to carry out the provisions of this resolution, the patron of the bill shall indicate the words intended as amendments by underscoring them.

Mr. STUBBS, from the committee on public institutions and education, reported with an amendment,

No. 4, Senate bill to amend and re-enact section 1 of an act passed January 30, 1845, entitled an act to incorporate the Augusta Female Seminary.

The bill was subsequently taken up, read the second time, and the committee's amendment agreed to.

The bill as amended, was ordered to be engrossed and read a third time.

Mr. MUSKBACH, from the committee on county, city, and town organizations, reported with an amendment,

No. 10, Senate bill to incorporate the town of Clover, in Halifax county.

The bill was subsequently taken up, read the second time, and the amendment proposed by the committee agreed to.

The bill as amended was ordered to be engrossed and read a third time.

He, from the same committee, reported with amendments,

No. 12, Senate bill to incorporate the town of Mt. Crawford, in the county of Rockingham.

The bill was subsequently taken up, read the second time, and the committee's amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time.

He, from the same committee, reported without amendment,

No. 31, Senate bill to prohibit the running at large of horses, cattle, and other stock upon the public roads in parts of the Blue Grass district, in the county of Highland.

The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

And he, from the same committee, reported with amendments, No. 30, Senate bill to incorporate the town of Belle Haven, in Accomac county.

The bill was subsequently taken up, read the second time, and the amendments proposed by the committee agreed to.

The bill as amended was ordered to be engrossed and read a third time.

Mr. LITTLE (by request), by leave, presented

The petition of contestant in the contested election case of F. M. Parrish v. W. M. Flanagan, for a seat in the Senate from the sixteenth senatorial district.

Mr. FLANAGAN made an ineffectual motion to have the petition referred to a special committee of three to be appointed by the President of the Senate.

Mr. FLANAGAN, by leave, presented

A resolution providing for the appointment of a committee of three to investigate the conduct of William L. Wilson, janitor of the Senate, as judge of election at Smithers' precinct.

The resolution was taken up and disagreed to.

Mr. LOVENSTEIN, by leave, presented

No. 50, A bill for the relief of Charles Straus, trustee under a deed of trust from Levy & Davis, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. HALE, by leave, presented

No. 51, A bill to prevent the extermination of partridges (or quails) and woodcock in the county of Franklin, which, on his motion, was read the first, ordered to be read a second time; and upon his further motion (the rules being suspended therefor) was placed on the calendar.

Mr. MASON, by leave, presented

No. 52, A bill giving a defendant in any case of misdemeanor the right to waive trial by jury, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MASON, by leave, presented

No. 53, To amend and re-enact section 3705 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 3705 of the Code of Virginia, entering dwelling-house or other house, vessel, or car in the night time, &c., with intent to commit murder, rape, or robbery, &c., which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MASON, by leave, presented

No. 54, a bill to amend and re-enact section 3158 of the Code of Virginia, relating to the formation of special juries, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MAYNARD, by leave, presented

No. 55, A bill to extend the time for commencing and completing the construction of the railroad authorized under the act of the General Assembly, approved March 3, 1894, incorporating the River Front Railroad Company, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. HALE, by leave, presented

No. 56, A bill for the relief of Eli Smith, a Confederate veteran of Floyd county, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. LOVENSTEIN, by leave, presented

No. 57, A bill to amend and re-enact chapter 21 of the acts of the extra session of the General Assembly of 1887, approved March 30, 1887, incorporating the Mercantile Club, and to change the name to the Jefferson Club, which, on his motion, was read the first, ordered to be read a second time, and upon his further motion (the rules being suspended therefor), was placed on the calendar.

Mr. GREEN, by leave, presented

No. 58, A bill allowing H. R. Stowers, late treasurer of Bland county, further time for collecting uncollected taxes in Bland county, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BUCHANAN, by leave, presented

No. 59, A bill to amend and re-enact section 622 of the Code of Virginia, as amended and re-enacted by an act approved January 15, 1890, and an act approved March 2, 1894, in reference to what property may be distrained for taxes, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WITHERS, by leave, presented

No. 60, A bill to prescribe the mode by which unpaid subscriptions to joint stock companies may be recovered by said companies, their receivers, or assignees, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. WILLIAMS, by leave, presented

No. 61, A bill to repeal section 666 of chapter 635 of the acts of 1893-'94, in relation to delinquent lands purchased in the name of the auditor, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

The following communication from the executive by his private secretary was received:

GOVERNOR'S OFFICE,
RICHMOND, VA., December 10, 1895.

To the General Assembly:

Since the adjournment of the last General Assembly vacancies have occurred in the following judgeships in the State by deaths and resignations:

1st. By the death of R. H. Ward, judge of the county court of Campbell county, filled by the appointment of Frank Nelson.

2d. By the death of D. M. Bernard, judge of the corporation court of Petersburg, filled by the appointment of James M. Mullen.

3d. By the resignation of R. L. Kirby, judge of the county court of Grayson county, filled by the appointment of Graham C. Porterfield.

4th. By the resignation of J. D. Horsley, judge of the fifth judicial circuit, filled by the appointment of Taylor Berry.

5th. By the resignation of Thomas H. Wilcox, city judge of Norfolk, filled by the appointment of Allan R. Hanckel.

6th. By the resignation of C. F. Moore, judge of the county courts of Alleghany and Craig counties, filled by the appointment of George K. Anderson.

All of the appointees aforesaid were commissioned to serve until thirty days after the meeting of the present General Assembly, as required by the constitution.

CHARLES T. O'FERRALL,
Governor.

On motion of Mr. LOVENSTEIN, the communication was ordered to be laid on the table and spread upon the Journal of the Senate.

Mr. BARNES, by leave, presented the following:

Resolved, That the General Assembly of Virginia has learned with gratification that a Virginia Company has submitted the lowest bids on the government plans for the two battle-ships recently authorized by the Congress of the United States to be constructed; and this Assembly desires to call attention to this splendid evidence of the progress and development of the Old Dominion, and to express the hope that it may be the pleasure of the Honorable Secretary of the Navy to favor this State with the contracts for both of the battle-ships, and to name one of them "Virginia."

Resolved further, That a copy of this resolution be forthwith sent to the Honorable Secretary of the Navy, and to the senators and representatives in Congress from this State.

Which, on his motion, was taken up (the rules being suspended therefor) and agreed to.

Ordered, That the clerk inform the House of Delegates thereof.

On motion of Mr. HAY, the Senate adjourned until to-morrow at 12 o'clock.

WEDNESDAY, DECEMBER 11, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Dr. George Cooper.

Journal of yesterday read by the clerk.

A communication was received from the House of Delegates by its clerk as follows :

In House of Delegates, December 10, 1895.

The House has passed Senate bill, entitled an act to authorize the board of supervisors of Madison county to effect a loan for county purposes, No. 11.

A communication was received from the auditor of public accounts, informing the Senate that he had complied with their resolution adopted December 7, 1895, requesting him to request the clerks of courts to furnish the Senate with certain information regarding county revenues, expenses, levies, &c.

Mr. LITTLE, from the committee on privileges and elections, presented the following :

The committee on privileges and elections recommend that the evidence in the contested election case of Parrish v. Flanagan be printed, and request that authority for the purpose be granted ; which was taken up and agreed to.

Ordered to be printed. Document No. 2.

Mr. JONES, from the committee for courts of justice, reported without amendment,

No. 20, Senate bill to amend and re-enact section 2224 of the Code of Virginia, relating to the prohibition of marriage within certain degrees.

The bill was subsequently taken up.

Mr. McCUNE made an unsuccessful motion to pass by.

The bill was then read the second time, and ordered to be engrossed and read a third time.

And he, from the same committee, reported without amendment,

No. 37, Senate bill to permit Thomas Gant Alderson to obtain license to practice law in the courts of Virginia.

The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment,

No. 9, Senate bill for the relief of James Hay, administrator of W. J. Cave, deceased, late treasurer of Madison county.

He, from the same committee, reported with amendments,

No. 18, Senate bill to amend and re-enact sections 615 and 616 of the Code of Virginia, in reference to proceedings against delinquent treasurers and their sureties, and the liens of judgment and executions against such treasurers and their sureties.

He, from the same committee, reported without amendment,

No. 28, Senate bill for the relief of James H. Todd, of Augusta county, authorizing the auditor of public accounts to issue a duplicate warrant, the original having been lost, for allowance as assessor of lands in North River district, Augusta county.

He, from the same committee, reported without amendment,

No. 40, Senate bill to allow Mrs. W. Corson to draw from the treasury of the State any salary due to the estate of William C. Corson, deceased, and to authorize the auditor of public accounts to pay the same.

And he, from the same committee, reported with the recommendation that it do not pass,

No. 41, Senate bill to amend and re-enact section 603 of the Code of Virginia.

Mr. SANDS, from the committee on general laws, reported with amendments,

No. 1, Senate bill to fix the number of the board of directors in a joint stock company where the capital stock does not exceed ten thousand dollars.

The bill was subsequently taken up.

The amendments proposed by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time.

He, from the same committee, reported with amendments,

No. 6, Senate bill to authorize the United States Government to acquire title and jurisdiction to a tract of land in the county of Norfolk, on the Southern Branch.

The bill was subsequently taken up, and the amendments proposed by the committee agreed to.

Mr. FLANAGAN made an unsuccessful motion to amend the bill.

The bill as amended was ordered to be engrossed and read a third time.

He, from the same committee, reported with amendments,

No. 26, Senate bill to authorize the board of supervisors of Greenville county to issue bonds in payment for a new fire-proof clerk's office, and fire-proof furniture for same.

The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

And he, from the same committee, reported with amendments,

No. 33, Senate bill to incorporate the Fredericksburg Telephone Company.

The bill was subsequently taken up. The amendments proposed by committee were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time.

Mr. LITTLE, by leave, presented

No. 62, A bill to ratify and confirm the issue by the city of Fredericksburg of \$30,000 of 5 per cent. water bonds, and also confirm-

ing the execution by said city of a deed of trust to secure the payment of said bonds; which, on his motion, was read the first time; and on his further motion (the rules being suspended therefor), was read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, was, upon his further motion (two-thirds concurring), read the third time and passed, with its title.

Ordered, That Mr LITTLE inform the House thereof.

Senate bill 63, To authorize the city of Charlottesville to issue bonds to redeem certain outstanding bonds of said city, and for other purposes, and to convey in trust its water-works, and gas and light works, to secure the payment of said bonds; which, on his motion, was read the first time; and on his further motion (the rules being suspended therefor), was read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, was, upon his further motion (two-thirds concurring), read third the time and passed, with its title.

Mr. LECATO, by leave, presented

No. 64, A bill to amend and re enact section 3 of an act entitled an act to protect wild water fowl and other game in the counties of Accomac and Northampton, approved March 5, 1894; which, on his motion, was read the first, ordered to be read a second time; and upon his further motion (the rules being suspended therefor), placed on the calendar. The bill was subsequently taken up, and on motion of Mr. LECATO (the rules being suspended therefor), was ordered to be engrossed and read a third time.

Mr. SNEAD, by leave, presented

No. 65, A bill to prescribe the time for holding the circuit courts for the First Judicial circuit; which, on his motion, was read the first, ordered to be read a second time, and referred to the Committee for Courts of Justice.

Mr. PARR, by leave, presented

No. 66, A bill for the relief of William Gunter, a disabled Confederate soldier, of Patrick county, Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MASON, by leave, presented

No. 67, A bill to amend and re-enact section 4059 of the Code of Virginia, relating to writs of error in criminal cases; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. McILWAINE, by leave, presented

No. 68, A bill to amend and re enact section 3191 of the Code of Virginia, as amended and re-enacted by an act, approved February 2, 1892, entitled an act to amend and re-enact section 3191 of the Code of Virginia, relating to the licensing of persons to practice law in this State; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MAYNARD, by leave, presented

No. 69, A bill giving the consent of this State to the purchase by the United States of certain real estate in the county of Norfolk, and exempting the same from taxation ; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. GREEN, by leave, presented

No. 70, A bill to incorporate the Virginia Mineral Railway Company ; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MORRIS, by leave, presented

A joint resolution for the relief of James G. Field ; which, on his motion, was referred to the committee on finance and banks.

A message was received from the House, by Mr. COOKE, who informed the Senate that that House had agreed to the joint resolution respecting the building of the battleships at Newport News.

A message was received from the House by Mr. COOKE, informing the Senate that that house had agreed to the following :

Resolved (the Senate concurring), That the General Assembly proceed this day, at 12:30 o'clock P. M., to the election of a judge of the fifth judicial circuit, a city judge for Norfolk ; a city judge for Petersburg, and a judge for the counties of Alleghany and Craig ; that in the execution of the joint order, nominations shall be made for the whole number in the order in which they appear above, and that then each house shall be notified of said nominations, then the roll shall be called for the election of one of the officers in the order named, and when the roll shall have been called for the whole number, the presiding officer of each house shall appoint a committee of two, which, together, shall constitute a joint committee to count the joint vote in each case, and report the result to their respective houses.

The resolution was taken up and agreed to.

Ordered, That Mr. MORRIS inform the House thereof.

Mr. WITHERS offered the following joint resolution, which (he having made an unsuccessful motion to suspend the rules) went over till to-morrow :

Resolved by the Senate (the House of Delegates concurring), That a joint committee of seven, consisting of three from the Senate and four from the House, be appointed by the President of the Senate and the Speaker of the House of Delegates, to thoroughly investigate and report upon the matter of the State's criminal expenses ; the causes of their continual increase ; the items of expense in which the increase is most marked, and the means, if any, of reducing such expenses.

The committee, in connection with their report, shall formulate and suggest measures calculated to reduce such expenses without impairing the efficient execution of our criminal laws.

The hour of 12:30 having arrived,

Ordered, That Mr. JORDAN inform the House that the Senate was ready on its part to proceed to the execution of the joint order having for its object the election of certain judges.

A message was received from the House of Delegates by Mr. SAUNDERS, who informed the Senate that that house was ready on its part to proceed.

For judge of the fifth judicial circuit, Mr. BROWN nominated Taylor Berry.

For city judge of Norfolk, Mr. SNEAD nominated Allan R. Hanckel.

For city judge of Petersburg, Mr. McILWAINE nominated James M. Mullen.

For judge of the county court of Alleghany and Craig counties, Mr. JONES nominated Geo. K. Anderson.

There being no further nominations, it was

Ordered, That Mr. SNEAD inform the House thereof.

A message was received from the House by Mr. HARWOOD, who informed the Senate that there were no additional nominations in that house.

The roll was then called, with the following results:

For Taylor Berry, - - - 38

Senators who voted for TAYLOR BERRY, are—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers.—38.

For Allan R. Hanckel, - - - 37

Senators who voted for ALLAN R. HANCKEL, are—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers.—37.

For James M. Mullen - - - 38

Senators who voted for JAMES M. MULLEN, are—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers.—38.

For Geo. K. Anderson, - - - 37

Senators who voted for GEO. K. ANDERSON, are—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Green, Hale, Hay, E. H. Jack-

son, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—37.

The PRESIDENT appointed Messrs. WILLIAMS and LeCATO a committee to meet a similar committee on the part of the House of Delegates and count the joint vote.

The Committee, through Mr. WILLIAMS, reported :

For judge of the fifth judicial circuit :

Whole number of votes cast,	-	-	127
Necessary to a choice,	-	-	64
Of which Taylor Berry received	-	-	127

Taylor Berry having received all of the votes cast, was declared duly elected judge of the fifth judicial circuit for the legal term of that office.

For city judge of Norfolk :

Whole number of votes cast,	-	-	120
Necessary to a choice,	-	-	61
Of which Allan R. Hanckel received	-	-	120

Allan R. Hanckel having received all the votes cast, was declared duly elected city judge of Norfolk for the legal term of that office.

For city judge of Petersburg :

Whole number of votes cast,	-	-	125
Necessary to a choice,	-	-	63
Of which James M. Mullen received	-	-	125

James M. Mullen having received all the votes cast, was declared duly elected city judge of Petersburg for the legal term of that office.

For judge of the county court of Alleghany and Craig counties :

Whole number of votes cast,	-	-	124
Necessary to a choice,	-	-	63
Of which Geo. K. Anderson received	-	-	124

Geo. K. Anderson having received all the votes cast, was declared duly elected judge of the county court of Alleghany and Craig counties for the legal term of that office.

The following Senate bills were taken up, read the third time, and passed with their titles :

No. 4, Senate bill to amend and re-enact section 1 of an act

passed January 30, 1845, entitled an act to incorporate the Augusta Female Seminary.

No. 10, Senate bill to incorporate the town of Clover in Halifax county.

No. 12, Senate bill to incorporate the town of Mt. Crawford in the county of Rockingham.

No. 30, Senate bill to incorporate the town of Belle Haven, Accomac county.

No. 31, Senate bill to prohibit the running at large of horses, cattle and other stock upon the public roads in parts of Bluegrass district in the county of Highland.

No. 51, Senate bill to prevent the extermination of partridges (or quail) and woodcock in the county of Franklin; the bill was taken up, read the second time, and ordered to be engrossed and read a third time.

No. 57, Senate bill to amend and re-enact chapter 21 of the Acts of the extra session of the General Assembly of 1887, approved March 30, 1887, incorporating the Mercantile Club, and to change the name to the Jefferson Club. The bill was taken up, read the second time, and ordered to be engrossed and read a third time.

On motion of Mr. MUSHBACH, the Senate adjourned until to-morrow, 12 o'clock.

THURSDAY, DECEMBER 12, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Dr. George Cooper.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk was read as follows:

In House of Delegates, December 11, 1895.

The House of Delegates have passed Senate bill, entitled an act to ratify and confirm the issue by the city of Fredericksburg of \$30,000 of five per cent. water bonds; and also confirming the execution by said city of a deed of trust to secure the payment of said bonds, No. 62.

They have passed House bills, entitled an act to repeal an act to provide for the establishment of a high school for Bedford county, approved March 3, 1894, No. 3; an act to empower the school board of Battletown district, Clarke county, to borrow money to erect a school house, No. 4; an act to amend chapter 209, acts 1893-'94, for the protection of fish in Roanoke county, No. 7, and an act to allow the Charlottesville and University Street Railway Company to change its name to the Charlottesville city and Suburban Railway Company, No. 9.

They have agreed to House joint resolution in relation to the construction of a public building in Portsmouth, No. 5.

In which bills and joint resolution they request the concurrence of the Senate.

No. 3, House bill entitled an act to repeal an act entitled an act to provide for the establishment of a high school for Bedford county, approved March 3, 1894, was taken up, twice read, and referred to the committee on public institutions and education.

No. 4, House bill entitled an act to empower the school board of Battletown district, Clarke county, to borrow money to erect a school-house was taken up, twice read, and referred to the committee on public institutions and education.

No. 5, House joint resolution, in relation to the construction of a public building in Portsmouth, was taken up, twice read, and referred to the committee on public institutions and education.

No. 7, House bill entitled an act to amend chapter 209, acts 1893-'94, for the protection of fish in Roanoke county, was taken up, twice read, and referred to the committee on fish and game.

No. 9, House bill entitled an act to allow the Charlottesville and University Street Railway Company to change its name to the Charlottesville City and Suburban Railway Company, was taken up, twice read, and on motion of Mr. MORRIS (the rules being suspended therefor), placed on the calendar.

On motion of Mr. FLANAGAN, indefinite leave of absence was granted Mr. McCUNE on account of sickness.

Mr. JONES, by leave, presented

No. 71, A bill to amend and re-enact section 7 of an act entitled an act to incorporate the Potts' Valley Railroad and Iron Company, as amended and re-enacted by chapter 140 of the session acts of 1893-'94, approved February 6, 1894, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. TURNBULL, by leave, presented

No. 72, A bill to amend and re-enact section 605, Code of Virginia, 1887, entitled treasurers to return lists of uncollected taxes and delinquents, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. TURNBULL, by leave, presented

No. 73, A bill to amend and re-enact section 833, Code of Virginia, 1887, entitled powers and duties of board at annual meeting; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. TURNBULL, by leave, presented

No. 74, A bill to amend and re-enact section 862, Code of Virginia, 1887, entitled treasurer's annual settlement with the supervisors; to deliver books, &c., to successor; which, on his motion,

was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. HAY, by leave, presented

No. 75, A bill entitled an act to repeal sections 15 and 17 of an act to provide for the method of voting by ballot, approved March 6, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. HAY, by leave, presented

No. 76, A bill entitled an act to amend sections 3, 5, and 11 of an act entitled an act to provide for a method of voting by ballot, approved March 6, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. G. W. JACKSON, by leave, presented

No. 77, A bill to amend and re-enact section 28 of chapter 244 of Acts of 1889-'90, approved March 6, 1890, providing for assessment of taxes on persons, property and income, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in case when the court certificate is required; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. ST. CLAIR, by leave, presented

No. 78, A bill to amend and re enact section 2823 of chapter 130 of the Code of Virginia, 1887, in relation to interest; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. JORDAN, by leave, presented

No. 79, A bill to allow a pension to Susan A. Rickman, of Halifax county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. ECHOLS, by leave, presented

No. 80, A bill to reinstate and amend the charter of the Atlantic, Staunton, and West Virginia Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. ECHOLS, by leave, presented

No. 81, A bill to incorporate Basic City, Bridgewater and Piedmont Electric Railway Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. LITTLE (by request), by leave, presented

No. 82, A bill to incorporate the Peninsula Gas, Light, Fuel and Power Company; which, on his motion, was read the first, ordered

to be read a second time, and referred to the committee on general laws.

Mr. BUCHANAN, by leave, presented

No. 83, A bill to amend and re-enact section 5 of an act approved March 8, 1875, entitled an act to incorporate the town of Glade Springs, in Washington county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on counties, cities and town organizations.

Mr. STUBBS, by leave, presented

No. 84, A bill to have the boundaries of certain national oyster, rocks and shoals, in Matthews county, surveyed, and plots made of the same; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. GREEN, by leave, presented

No. 85, A bill to amend an act entitled an act to incorporate the Bland County Land, Improvement, Development and Transportation Company, approved February 20, 1890; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MAYNARD, by leave, presented

No. 86, A bill to authorize the Council of the city of Portsmouth to issue bonds for the completion of its sewerage, to continue the paving and grading of its streets, and to redeem its portion of ferry bonds; which, on his motion, was read the first, ordered to be read a second time; and upon his further motion (the rules being suspended therefor), was placed on the calendar.

Mr. MAYNARD, by leave, presented

No. 87, A bill ratifying and confirming a resolution of the Council of the city of Portsmouth adopted in relation to the terms of its members, which, on his motion, was read the first, ordered to be read a second time, and, upon his further motion (the rules being suspended therefor), placed on the calendar.

Mr. STUBBS, by leave, presented the following joint resolution:

Whereas, efforts are being made by the Grand Camp of Confederate Veterans of Virginia to procure the Confederate muster rolls of the Virginia soldiers of the late War, now in the War Department at Washington, and the history committee of the Grand Camp having the above in charge, has asked that the General Assembly of Virginia will aid in securing the same; now, therefore,

1. Resolved by the Senate (the House of Delegates concurring), That his Excellency, C. T. O'Ferrall, Governor of Virginia, be requested to visit Washington and secure the co-operation of the members of Congress and the United States senators from Virginia, and wait on the President and Secretary of War and ask permission to have the muster rolls of the Virginia soldiers copied, and said copies to be filed in the office of the Adjutant-General of Virginia.

2. That as soon as Governor O'Ferrall has this interview, he is requested to report the result, so that legislation may be considered

at this session to carry out the proposed plan of obtaining and preserving these muster rolls,

Which was read and laid over under the rules.

On motion of Mr. BUCHANAN,

Resolved, That the auditor of public accounts is hereby requested to inform the Senate what amount has been expended by the State for the care and support of lunatics and insane persons outside of the several insane hospitals during the last fiscal year, and also the number of such lunatics and insane persons that are now being so provided for in the several counties of the State.

The following Senate bills were taken up, read the third time, and passed with their titles:

No. 1, Senate bill to fix the number of the board of directors in a joint stock company when the capital stock does not exceed ten thousand dollars.

On motion of Mr. LITTLE, it was

Ordered, That he inform the House of Delegates thereof.

No. 6, Senate bill to authorize the United States Government to acquire title and jurisdiction to a tract of land in the county of Norfolk, on the southern branch—ayes, 31; noes, 1.

The vote was recorded as follows:

AYES—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Fairfax, Green, Hale, Hay, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Withers—31.

NOES—Mr. Flanagan—1.

On motion of Mr. MAYNARD, it was

Ordered, That he inform the House of Delegates thereof.

No. 20, Senate bill to amend and re-enact section 2224 of the Code of Virginia, relating to the prohibition of marriage within certain degrees.

On motion of Mr. LECATO, it was

Ordered, That he inform the House of Delegates thereof.

No. 26, Senate bill to authorize the board of supervisors of Greenville county to issue bonds in payment for a new fire proof clerk's office and fire-proof furniture for same.

No. 51, Senate bill to prevent the extermination of partridges (or quail) and woodcock in the county of Franklin.

No. 57, Senate bill to amend and re enact chapter 21 of the Acts of the extra session of the General Assembly of 1887, approved March 30, 1887, incorporating the Mercantile Club, and to change the name to the Jefferson Club.

No. 64, Senate bill to amend and re-enact section 3 of an act entitled an act to protect wild water fowl and other game in the counties of Accomac and Northampton, approved March 5, 1894.

On motion of Mr. McILWAINE,

No. 33, Senate bill to incorporate the Fredericksburg Telephone

Company was taken up, and the vote by which the bill was engrossed and ordered to be read the third time was reconsidered.

On motion of Mr. MUSHBACH, the bill was recommitted to the committee on general laws.

On motion of Mr. JONES,

No. 37, Senate bill to permit Thos. G. Alderson to obtain license to practice law in the courts of Virginia was taken up, and the vote by which it was ordered to be engrossed and read the third time was reconsidered.

The bill was then amended, and, on motion of Mr. KANE, the bill as amended was ordered to be engrossed and read the third time.

The following Senate bills were taken up, read the second time, and ordered to be engrossed and read a third time:

No. 9, Senate bill for the relief of James Hay, administrator of W. J. Cave, deceased, late treasurer of Madison county.

No. 28, Senate bill for the relief of James H. Todd, of Augusta county, authorizing the auditor of public accounts to issue a duplicate warrant, the original having been lost, for allowance as assessor of lands in North River district, Augusta county.

No. 40, Senate bill to allow Mrs. W. C. Corson to draw from the treasury of the State any salary due the estate of Wm. C. Corson, deceased, and to authorize the auditor of public accounts to pay the same.

On motion of Mr. LITTLE,

Joint resolution respecting the appointment of a committee to investigate the State's criminal expenses, &c., was taken up, and referred to the committee for courts of justice.

No. 18, Senate bill to amend and re enact sections 615 and 616 of the Code of Virginia in reference to proceedings against delinquent treasurers and their sureties, and the liens of judgments and executions against such treasurers and their sureties, was taken up, read the second time, the amendments proposed by committee on finance and banks agreed to, and the bill as amended was ordered to be engrossed and read a third time.

No. 41, Senate bill to amend and re-enact section 603 of the Code of Virginia in regard to the extension of time for the collection of taxes was taken up, read the second time, and the adverse report of the committee on finance and banks was agreed to.

A communication was received from the auditor of public accounts in response to resolution of the Senate transmitting certain information regarding the indebtedness to the State of county and city treasurers.

On motion of Mr. KEEZELL, the communication was read and ordered to be printed. Doc. No. 3.

On motion of Mr. TREDWAY, the Senate adjourned until to-morrow, 12 o'clock.

FRIDAY, DECEMBER 13, 1895.

Lieutenant-Governor ROBERT C. KENT in the chair.

Prayer by Rev. Dr. George Cooper.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk, was read as follows:

In House of Delegates, December 12, 1895.

The House of Delegates has passed Senate bills entitled an act to amend and re-enact section 1 of an act passed January 30, 1845, entitled an act to incorporate the Augusta Female Seminary, No. 4; an act to amend and re-enact an act approved February 24, 1892, entitled an act for the protection of deer in the counties of Bland, Tazewell, Smyth, and Wythe, No. 16; an act to incorporate the town of Clover, in Halifax county, No. 10; an act to incorporate the town of Mt. Crawford, in the county of Rockingham, No. 12; an act to incorporate the town of Belle Haven, in Accomac county, No. 30, and an act to authorize the city of Charlottesville to issue bonds to redeem certain outstanding bonds of said city and for other purposes, and to convey in trust its water works and gas and light works to secure the payment of said bonds, No. 63.

They have passed House bills entitled an act to amend the charter of the town of Cape Charles, and to legalize certain acts of the town council, No. 6; an act to repeal an act entitled an act to impose a special license on dealers in cast-off clothing in the counties of Accomac and Northampton, approved March 7, 1894, No. 10; and an act to prohibit horses, mules, and cattle from running at large upon the public roads of the county of Accomac, No. 11.

In which they request the concurrence of the Senate.

No. 6, House bill to amend the charter of the town of Cape Charles, and to legalize certain acts of the Town Council, was taken up, twice read, and referred to the committee on counties, city and town organizations.

No. 10, House bill to repeal an act entitled an act to impose a special license on dealers in cast-off clothing, in the counties of Accomac and Northampton, approved March 7, 1894, was taken up, twice read, and referred to the committee on finance and banks.

No. 11, House bill to prohibit horses, mules, and colts from running at large upon the public roads of the county of Accomac, was taken up, twice read, and referred to the committee on counties, city and town organizations.

Mr. JONES, from the committee for courts of justice, reported without amendment,

No. 35, Senate bill to amend and re-enact section 1276 of the Code of Virginia, when treasurers may return securities to company.

The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

He, from the same committee, reported, with the recommendation that the committee be discharged from further consideration of the bill, and that it be referred to the committee on general laws,

No. 39, Senate bill making the owner or other person in whose control or on whose premises a dog usually stays, liable to the owner of sheep killed, maimed or worried by such dogs, for damages for such killing, maiming, or worrying.

The bill was subsequently taken up, the recommendation of the committee agreed to, and the bill was then referred to the committee on general laws.

He, from the same committee, reported with an amendment,

No. 46, Senate bill, an act to amend and re-enact section 3991, Code of Virginia, 1887, entitled name of prosecutor to be written on indictments, &c., for misdemeanor when required to give security for costs.

The bill was subsequently taken up, read the second time, the committee's amendment agreed to, and as amended was ordered to be engrossed and read a third time.

He, from the same committee, reported without amendment,

No. 52, Senate bill giving a defendant in any case of misdemeanor the right to waive trial by jury.

The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

He, from the same committee, reported without amendment,

No. 53, Senate bill to amend and re-enact section 3705 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 3705 of the Code of Virginia, entering dwelling-house, or other house, or vessel, or car in the night, &c., with intent to commit murder, rape, or robbery, &c.

The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

And he, from the same committee, reported without amendment,

A joint resolution respecting the appointment of a committee to investigate the State's criminal expenses.

On motion of Mr. WITHERS, the joint resolution was subsequently taken up and agreed to.

Ordered, That the clerk inform the House of Delegates thereof.

Mr. STUBBS, from the committee on public institutions and education, reported without amendment,

No. 4, House bill, entitled an act to empower the school board of Battletown district, Clarke county, to borrow money to erect a school-house.

The bill was subsequently taken up, read the third time, and passed with its title.

Mr. WICKWHAM, by leave, presented

No. 88, A bill to provide for and regulate elections by ballot, and

to repeal an act entitled an act to provide for the method of voting by ballot, approved March 6, 1894, and to repeal an act entitled an act in relation to the preservation of order at the polls, approved March 5, 1890, and to repeal all acts or parts of acts in conflict with this act, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. MORRIS, by leave, presented

No. 89, A bill to prevent the extermination of partridges (or quail) in the State of Virginia, which, on his motion, was read the first time, ordered to be read a second time, and referred to the committee on fish and game.

Mr. KEEZELL, by leave, presented

No. 90, A bill to amend and re-enact an act entitled an act for the protection of game in Rockingham county, Va., which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. TREDWAY, by leave, presented

No. 91, A bill to amend and re-enact sections 4052, 4056, 4057 and 4060 in reference to writs of errors in criminal cases, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WILLIAMS, by leave, presented

No. 92, A bill to amend and re-enact section 2476 of the Code of 1887 relative to the perfection of lien by general contractor for the better protection of mechanics, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. KEEZELL, by leave, presented

No. 93, A bill to amend section 2475 of the Code of Virginia with reference to lien for work done and materials furnished by artisans, mechanics, lumber dealers and others, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. G. W. JACKSON, by leave, presented

No. 94, A bill to amend and re-enact section 8, chapter 244, of act of 1889-90, approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons, property, and income, and license to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixtures thereof, in cases where a court's certificate is required, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. GREEN, by leave, presented

No. 95, A bill to incorporate the United States Land and Investment Company, which, on his motion, was read the first, ordered

to be read a second time, and referred to the committee on general laws.

No. 9, House bill entitled an act to allow the Charlottesville and University Street Railway company to change its name to the Charlottesville City and Suburban Railway company, was taken up, read the third time and passed with its title.

No. 37, Senate bill to permit Thomas Gant Alderson to obtain licenses to practice law in the courts of Virginia, was taken up, read the third time, and passed with its title—ayes 26; noes 10.

On motion of Mr. HAY, the vote was recorded as follows:

AYES—Messrs. Boykin, Buchanan, Clement, Echols, Flood, Green, Hale, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Morris, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Wickham, and Withers—26.

NOES—Messrs. Brown, Claytor, Fairfax, Flanagan, Hay, McCune, McIlwaine, Sands, Turnbull, and Williams—10.

No. 9, Senate bill for the relief of James Hay, administrator of W. J. Cave, deceased, late treasurer of Madison county, was taken up, read the third time, and passed with its title.

No. 18, Senate bill to amend and re-enact sections 615 and 616 of the Code of Virginia, in reference to proceedings against delinquent treasurers and their sureties, and the liens of judgments and executions against such treasurers and their sureties, was taken up, read the third time, and passed with its title.

No. 28, Senate bill for the relief of James H. Todd, of Augusta county, authorizing the auditor of public accounts to issue a duplicate warrant, the original having been lost, for allowance as assessor of lands in North River district, Augusta county, was taken up, read the third time, and passed with its title—ayes 35; noes none.

On motion of Mr. ECHOLS, the vote was recorded as follows:

AYES—Messrs. Brown, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—35.

No. 40, Senate bill to allow Mrs. W. C. Corson to draw from the treasury of the State any salary due the estate of W. C. Corson, deceased, and to authorize the auditor of public accounts to pay the same, was taken up, read the third time and passed with its title—ayes 36; noes 1.

On motion of Mr. SOUTHALL, the vote was recorded as follows:

AYES—Messrs. Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Withers—36.

NOES—Mr. Williams—1.

Joint resolution requesting the governor to procure the muster-rolls of the Confederate soldiers from Virginia, from the War Department, was taken up.

And, on motion of Mr. STUBBS, passed by.

On motion of Mr. LITTLE, the Senate adjourned until to-morrow twelve o'clock.

SATURDAY, DECEMBER 14, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Dr. George Cooper.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk was read as follows:

In House of Delegates, December 13, 1895.

The House of Delegates has passed Senate bills entitled an act to amend and re-enact chapter 21 of the acts of the extra session of the General Assembly of 1887, approved March 30th, 1887, incorporating the Mercantile Club, and to change the name to the Jefferson Club, No. 57; an act to prevent the extermination of partridges or quails and woodcock in the county of Franklin, No. 51; an act to fix the number of the board of directors in a joint stock company where the capital stock does not exceed ten thousand dollars, No. 1; and an act to authorize the United States government to acquire title and jurisdiction to a tract of land in the county of Norfolk on the Southern branch, No. 6.

They have also passed House bills entitled an act to permit S. Grenell to erect a breakwater alongside of the wharf at North End on Rappahannock river, No. 13; an act to remove the political disabilities of James L. Bishop, No. 16; an act to amend and re-enact section 4 of an act to prevent the extermination of partridges or quail in the county of Rockbridge, No. 17; an act to prevent the killing or capturing of partridges and destruction of their eggs in the counties of Greene and Madison for two years, No. 18; and an act to amend and re-enact section 4 of an act entitled an act to incorporate Chatham Female Institute, approved February 24th, 1894, in relation to the manner in which the property of said Institute shall be used, held, conveyed, and encumbered, No. 8.

In which bills they request the concurrence of the Senate.

No. 8, House bill entitled an act to amend and re-enact section 4 of an act entitled an act to incorporate Chatham Female Institute, approved February 24th, 1894, in relation to the manner in which the property of said Institute shall be used, held, conveyed, and en-

cumbered, was taken up, twice read, and referred to the committee on public institutions and education.

No. 13, House bill entitled an act to permit S. Grenell to erect a breakwater along side of the wharf at North End on Rappahannock river, was taken up, twice read, and referred to the committee on general laws.

No. 16, House bill entitled an act to remove the political disability of James L. Bishop, was taken up, twice read, and referred to the committee on general laws.

No. 17, House bill entitled an act to amend and re-enact section 4 of an act to prevent the extermination of partridges or quail in the county of Rockbridge, was taken up, twice read, and referred to the committee on fish and game.

No. 18, House bill entitled an act to prevent the killing or capturing of partridges and the destruction of their eggs in the counties of Greene and Madison for two years, was taken up, twice read, and referred to the committee on fish and game.

The following Senate bills were taken up, read the third time, and passed with their titles:

No. 35, Senate bill to amend and re-enact section 1276 of the Code of Virginia, when treasurers may return securities to company.

No. 46, Senate bill to amend and re-enact section 3991, Code of Virginia, 1887, entitled name of prosecutor to be written on indictment, &c., for misdemeanor, when required to give security for costs.

No. 52, Senate bill giving a defendant in any case of misdemeanor the right to waive trial by jury.

No. 53, Senate bill to amend and re-enact section 3705 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 3705 of the Code of Virginia, entering dwelling house, or other house, vessel, or car, in the night, &c., with intent to commit murder, rape, or robbery, &c.

Mr. SANDS, from the committee on general laws, reported with amendments,

No. 19, Senate bill to authorize the Progressive Endowment Guild of America to deposit securities with the state treasurer and to make annual report to the auditor.

And he, from the same committee, reported with an amendment,

No. 60, Senate bill to prescribe the mode by which unpaid subscriptions to joint stock companies may be recovered by said companies, or their receivers, or assignees.

Mr. ECHOLS, from the committee on roads and internal navigation, reported without amendment,

No. 7, Senate bill to incorporate *Alberene Railroad Company*.

He, from the same committee, reported with amendments,

No. 70, Senate bill to incorporate the *Virginia Mineral Railway Company*.

He, from the same committee, reported with an amendment,

No. 80, Senate bill to reinstate and amend a charter of the *Atlantic, Staunton and West Virginia Railroad Company*.

And he, from the same committee, reported with amendments,

No. 85, Senate bill to amend an act entitled an act to incorporate the *Bland County Land, Improvement, Development and Transportation Company*, approved February 20th, 1890.

Mr. WICKHAM, from the committee on finance and banks, reported with an amendment,

No. 58, Senate bill allowing H. R. Stowers, late treasurer of Bland county, further time for collecting uncollected taxes in Bland county.

And he, from the same committee, reported without amendment,

No. 10, House bill entitled an act to repeal an act entitled an act to impose a special license on dealers in cast-off clothing in the counties of Accomac and Northampton, March 7th, 1894.

The bill was subsequently taken up, read the third time, and passed with its title.

Mr. FLANAGAN, by leave, presented

No. 96, A bill for the relief of J. R. Franklin, late treasurer of Accomac county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. PARR, by leave, presented

No. 97, A bill to amend sections 3, 5, and 11 of the act entitled an act to provide for the method of voting by ballot; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. PARR, by leave, presented

No. 98, A bill to repeal sections 15 and 17 of an act to provide for the method of voting by ballot; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. LOWRY, by leave, presented

No. 99, A bill to make husband and wife competent witnesses for or against each other in civil and criminal cases; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BOYKIN, by leave, presented

No. 100, A bill to permit the Governor of Virginia to furnish small arms to the Newport News Military Academy; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. GREEN (by request), by leave, presented

No. 101, A bill extending further time to J. W. Repass, late treasurer of Wythe county, for returning delinquent list of taxes for county purposes; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. GREEN (by request), by leave, presented

No. 102, A bill extending time to J. W. Repass, late treasurer of

Wythe county, until January 1, 1897, to make final settlement with the county authorities for Wythe county for county levies; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. WITHERS (by request), by leave, presented

No. 103, A bill to amend and re-enact sections 4021 and 4023 of the Code of Virginia, in reference to challenging jurors and selecting same; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WITHERS (by request), by leave, presented

No. 104, A bill to amend and re-enact sections 4018 and 4019 of the Code of Virginia, in reference to *venire facias* in cases of felony and as to when another *venire* issue; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WILLIAMS, by leave, presented

No. 105, A bill to prescribe the amount of recovery from any insurance company or association in case of damage or loss by fire, water, lightning, tornado, cyclone, or otherwise; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. JONES, by leave, presented

No. 106, A bill to amend and re-enact an act to amend and re-enact section 3319 of chapter 163, Code of Virginia, in relation to the appointment of commissioners in chancery, as amended and re-enacted by an act approved February 4, 1890, and by an act approved February 24, 1890, and by an act approved March 4, 1892, and by an act approved January 29, 1894, and by an act approved February 27, 1894; which, on his motion, was read a first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. McILWAINE, by leave, presented

No. 107, A bill to amend and re-enact section 1135 of Code of Virginia, relating to the issuance of new certificates of stock of chartered company when former one is lost; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

A message was received from the House of Delegates by Mr. BERKELEY, who informed the Senate that that House had agreed to the following joint resolution:

Resolved (the Senate concurring), That the General Assembly proceed this day, at 12.30 P. M., to the election of a city judge for Roanoke; a judge for the county court of Campbell, and a judge for the county court of Grayson; that in the execution of this joint order nominations shall be made for the whole number in the order in which they appear in this resolution; and then each house shall

be notified of said nominations, when the roll shall be called for the election of one of the judges in the order named in this resolution; and when the roll shall have been called for the whole number, the presiding officer of each house shall appoint two members of their respective houses, who together shall constitute a joint committee to count the joint vote in each case, and report the results to their respective houses.

The resolution was taken up, and on motion of Mr. JONES, agreed to.

Ordered, That he inform the House of Delegates thereof.

On motion of Mr. LOVENSTEIN (the rules being suspended therefore), the following joint resolution was adopted:

Resolved (the House of Delegates concurring), That the register of the land office be instructed to arrange to have the elevator in capitol run in afternoon and at night for use of committees.

Ordered, That he inform the House of Delegates thereof, and request their concurrence therein.

On motion of Mr. JONES, five days' leave of absence was granted Mr. BUCHANAN.

Mr. STUBBS, by leave, presented

Petition of citizens of Gloucester touching oyster legislation; which, on his motion, was referred to the committee on fish and game.

The hour of 12 30 having arrived,

Ordered, That Mr. KANE inform the House of Delegates that the Senate was ready on its part to proceed to the execution of the joint order having for its object the election of certain judges.

A message was received from the House of Delegates by Mr. BERKELEY, who informed the Senate that that house was ready on its part to proceed.

Mr. CLAYTOR nominated for city judge of Roanoke, John W. Woods, of Roanoke city.

Mr. CLEMENT nominated for county judge of Campbell county Stephen Adams.

Mr. ST. CLAIR nominated for county judge of Grayson county J. C. Padgett.

There being no additional nominations, it was

Ordered, That Mr. ST. CLAIR inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. STRATTON, who informed the Senate that there were no additional nominations in that house.

The roll was then called, with the following result:

For John W. Woods, - - - 32

Senators who voted for JOHN W. Woods, are—Messrs. Barnes, Boykin, Brown, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, G. W. Jack-

son, Jones, Kane, Keezell, LeCato, Lovenstein, Lowry, Mason, McIlwaine, Morris, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Turnbull, Wickham, Williams, and Withers—32.

For Stephen Adams, - - - 31

Senators who voted for STEPHEN ADAMS, are—Messrs. Barnes, Boykin, Brown, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, G. W. Jackson, Jones, Kane, Keezell, LeCato, Lovenstein, Lowry, Mason, McIlwaine, Morris, Parr, Sands, Snead, Southall, St. Clair, Turnbull, Wickham, Williams, and Withers—31.

For J. C. Padgett, - - - 30

Senators who voted for J. C. PADGETT, are—Messrs. Barnes, Boykin, Brown, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, G. W. Jackson, Jones, Kane, Keezell, LeCato, Lovenstein, Lowry, Mason, McIlwaine, Morris, Sands, Snead, Southall, St. Clair, Turnbull, Wickham, Williams, and Withers.—30.

The PRESIDENT appointed Messrs. GREEN and SANDS as a committee on the part of the Senate to meet a similar committee on the part of the House of Delegates and count the joint votes.

Mr. SANDS, for the committee, reported :

For city judge of Roanoke :

Whole number of votes cast,	-	-	124
Necessary to a choice,	-	-	63
Of which John W. Woods received	-	-	124

John W. Woods, having received all of the votes cast for city judge of Roanoke, was declared duly elected for the legal term of that office.

For judge of the county court of Campbell :

Whole number of votes cast,	-	-	121
Necessary to a choice,	-	-	61
Of which Mr. Stephen Adams received	-	-	121

Stephen Adams, having received all the votes cast for judge of the county court of Campbell, was declared duly elected for the legal term of that office.

For judge of the county court of Grayson :

Whole number of votes cast,	-	-	113
Necessary to a choice,	-	-	57
Of which Mr. J. C. Padgett received	-	-	113

J. C. Padgett, having received all the votes cast for judge of the county court of Grayson, was declared duly elected for the legal term of that office.

On motion of Mr. STUBBS,

The joint resolution requesting the governor to proceed to Washington and ascertain if permission cannot be obtained to have the muster-rolls of the Confederate soldiers from Virginia in the late war copied, was taken up, and, on motion of Mr. JONES, amended, and as amended was agreed to as follows :

Whereas, Efforts are being made by the Grand Camp of Confederate Veterans of Virginia to procure the Confederate muster-rolls of the Virginia soldiers of the late war, now in the War Department at Washington, and the history committee of the Grand Camp, having the above in charge, has asked that the General Assembly of Virginia will aid in securing the same ; now, therefore,

1. Resolved, by the Senate (the House of Delegates concurring), That His Excellency, C. T. O'Ferrall, governor of Virginia, be requested to visit Washington and secure the co-operation of the members of Congress and the United States Senators from Virginia, and wait on the President and Secretary of War and ask permission to have the muster-rolls of the Virginia soldiers copied, and said copies to be filed in the office of the adjutant-general of Virginia

2. That as soon as Governor O'Ferrall has this interview, he is requested to report the result together with the probable cost of obtaining the same, so that legislation may be considered at this session to carry out the proposed plan of obtaining and preserving these muster-rolls.

On motion of Mr. WICKHAM, the Senate adjourned until Monday twelve o'clock.

MONDAY, DECEMBER 16, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Dr. W. G. Starr.

Journal of Saturday read by the clerk.

A message was received from the House of Delegates by its clerk as follows :

In House of Delegates, December 14, 1895.

The House has agreed to Senate joint resolution in relation to the appointment of a joint committee to investigate the criminal expenses of the State.

They have agreed to Senate joint resolution in reference to running the elevator in the capitol in the afternoon and at night.

They have passed House bills entitled an act to amend and reenact section 13 of the charter of the town of Luray, Virginia, as amended by an act approved March 5th, 1894, authorizing the town council to levy a tax for street and road purposes, No. 21 ; an

act for the protection of partridges, pheasants, and wild turkeys in Pulaski county, Va., No. 22; an act to amend and re-enact the charter of Bethel Cemetery Company, granted February 15th, 1885, No. 28; an act for the protection of game and song-birds in the county of Amelia, No. 29; and an act for the protection of game and song-birds in the counties of Buckingham and Cumberland, No. 30.

They have also agreed to House concurrent resolution calling upon the auditor for certain information respecting the treasurers and other officers of the State.

In which bills and concurrent joint resolution they request the concurrence of the Senate.

No. 21, House bill entitled an act to amend and re-enact section 13 of the charter of the town of Luray, Va., as amended by an act approved March 5, 1894, authorizing the town council to levy a tax for streets and road purposes, was taken up, twice read, and referred to the committee on county, city and town organizations. ✓

No. 22, House bill entitled an act for the protection of partridges, pheasants and wild turkeys in Pulaski county, Va., was taken up, twice read, and referred to the committee on fish and game. ✓

No. 28, House bill entitled an act to amend and re-enact the charter of Bethel Cemetery Company, granted February 15, 1885, was taken up, twice read, and referred to the committee on general laws. ✓

No. 29, House bill entitled an act for the protection of game and song-birds in the county of Amelia, was taken up, twice read, and referred to the committee on fish and game. ✓

No. 30, House bill entitled an act for the protection of game and song-birds in the counties of Buckingham and Cumberland, was taken up, twice read, and referred to the committee on fish and game. ✓

House concurrent resolution, requesting the auditor of public accounts to furnish certain information regarding indebtedness of county and city officers was taken up, and on motion of Mr. KEEZELL, amended.

The resolution, on motion of Mr. MASON, was further amended, and as amended, was agreed to as follows :

Resolved (the Senate concurring), That the auditor of public accounts be requested to inform the General Assembly, by report in writing as early as practicable, of the status of the several accounts of the clerks of courts and other officers, except treasurers, of the several counties, cities and towns of this State, with this Commonwealth as of December 1st, 1895.

Ordered, That the clerk inform the House of Delegates, and request their concurrence in the resolution as amended.

Mr. SANDS, from the committee on general laws, reported without amendment,

No. 27, Senate bill to permit the registration of M. H. McClintic as a pharmacist.

He, from the same committee, reported with the recommendation that the committee be discharged from further consideration of the bill, and request its reference to committee for courts of justice.

No. 39, Senate bill making the owner or other person in whose control or on whose premises a dog usually stays, liable to the owner of sheep killed, maimed, or worried by such killing, maiming or worrying.

The bill was subsequently taken up, and on motion of Mr. WICKHAM, was referred to the committee on agriculture, mining and manufacturing.

He, from the same committee, reported without amendment.

No. 13, House bill entitled an act to permit S. Granell to erect a breakwater alongside of the wharf at north end on Rappahannock river.

The bill was subsequently taken up, read the third time and passed, with its title.

And he, from the same committee, reported without amendment.

No. 16, House bill entitled an act to remove the political disabilities of James L. Bishop.

The bill was subsequently taken up, read the third time; and the question being put, was determined in the negative (a two-thirds vote being necessary)—ayes, 19; noes, 3.

On motion of Mr. MASON, the vote was recorded as follows:

AYES—Messrs. Brown, Claytor, Clement, Flood, Green, Kane, LeCato, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Sands, Snead, Southall, St. Clair, Stubbs, and Williams—19.

NOES—Messrs. Echols, Hale, and Hay—3.

Whereupon Mr. ECHOLS moved to reconsider the vote by which the bill was defeated.

On motion of Mr. MASON, the motion to reconsider was passed by.

Mr. STUBBS, by leave, presented

No. 108, A bill to pay T. G. Jones for legal services rendered the Commonwealth of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. JONES, by leave, presented

No. 109, A bill to allow M. S. Cahoon, treasurer, of Botetourt county, further time to make settlements and return delinquents and collect tax-tickets; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. JONES, by leave, presented

No. 110, A bill to amend and re-enact subdivision seventh of section 3214 of the Code of Virginia, as to the courts in which proceedings are commenced; which, on his motion, was read the first, or-

dered to be read a second time, and referred to the committee for courts of justice.

Mr. FLANAGAN, by leave, presented

No. 111, A bill to authorize the county of Powhatan to borrow money; which, on his motion, was read the first, ordered to be read a second time; and upon his further motion (the rules being suspended therefor), was placed on the calendar.

Mr. STUBBS, by leave, presented

No. 112, A bill to amend and re-enact section 5 of an act entitled an act to give aid to soldiers, sailors, and marines of Virginia, maimed or disabled in the war between the States, and to the widows of Virginia soldiers, sailors, and marines who lost their lives in said war in the military service, approved March 5, 1888; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MASON, by leave, presented

No. 113, A bill to create the office of insurance commissioner and to transfer to the said commissioner all the duties heretofore imposed upon and performed by the auditor of public accounts in relation to insurance and insurance companies; and to further define the duties and powers of said commissioner, and to provide for his compensation and the expenses of this office; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. KANE, by leave, presented

No. 114, A bill to incorporate the Bristol Terminal Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. GREEN, by leave, presented

No. 115, A bill to require corporations to furnish for record in the clerk's office of the county court of Wythe county the names of their officers and directors, and prescribing the penalty for failure to do so; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. HAY, by leave, presented

No. 116, A bill entitled an act to repeal section 3528 of the Code of Virginia in relation to fees of attorneys for the Commonwealth; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. HAY, by leave, presented

No. 117, A bill entitled an act to repeal section 3526 of the Code of Virginia in relation to attorneys for the Commonwealth; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. HAY, by leave, presented

No. 118, A bill entitled an act to fix the compensation of attorneys for the Commonwealth; which, on his motion, was read the

first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. HAY, by leave, presented

No. 119, A bill entitled an act to fix the compensation of sheriffs for services rendered by them to the Commonwealth; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. HAY, by leave, presented

No. 120, A bill entitled an act to repeal section 3525 of the Code of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. HAY, by leave, presented

No. 121, A bill entitled an act to amend and re-enact section 3531 of the Code of Virginia in relation to fees of sheriffs, sergeants, constables, criers, and coroners; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BARNES, by leave, presented

No. 122, A bill to amend the charter of the Chesapeake Land and Improvement Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. KANE, by leave, presented

No. 123, A bill to amend and re-enact an act entitled an act to incorporate the Bristol and Northern Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. McILWAINE, by leave, presented

No. 124, A bill regulating the effect of answers made to interrogatories by applicant for insurance; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MASON, by leave, presented

No. 125, A bill to create a fish commission for the State of Virginia, and to define the duties and fix the salaries of its members; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. WITHERS (by request), by leave, presented

No. 126, A bill to repeal section 15 of chapter 571 of an act to charter and incorporate the town of Neapolis, in Pittsylvania county, Va., approved March 2, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. WITHERS (by request), by leave, presented

No. 127, A bill to amend and re-enact an act authorizing the board of supervisors of Pittsylvania county to issue the bonds of said county for the purpose of raising money to pay off bonds of

said county, approved February 7, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. WITHERS (by request), by leave, presented

No. 128, A bill to incorporate the Danville and Riverside Railway Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. SANDS presented the following resolution; which, on his motion, was referred to the committee on finance and banks:

Whereas, The United States Government now holds registered bonds of the Commonwealth of Virginia, and a demand has been made upon A. W. Harman, treasurer of this State, for the payment of these bonds, and said payment properly refused by him under the present status of unsettled accounts between this State and the United States Government; and,

Whereas, The Government of the United States is indebted to the State of Virginia for advances made and money loaned during the war of 1812, to an amount now exceeding the sum of \$1,500,000, and demands have been made by the State of Virginia for the payment of the amount due; and,

Whereas, The State of Virginia is ready to allow the amount due by her to the United States Government, on account of the claim of these registered bonds, to go as a credit on the indebtedness of the United States to her; and,

Whereas, It is advisable that there should be a speedy settlement and adjustment of these respective claims; now, therefore, be it

Resolved, That this matter be referred to the finance committee with direction to report by bill, or otherwise, the most practicable method of securing a settlement and adjustment of these two claims.

Mr. STUBBS offered the following preamble and resolution, which, on his motion, was referred to the committee on finance and banks:

Whereas, From the annual report of the auditor of public accounts for the year ending September 30th, 1895, only \$247,140 worth of "boats or other water crafts under five tons burthen, with their tackle, rigging and furniture, and all else that pertains to them," assessed for taxation, and only \$318,994 worth of all ships, tugboats, barges, boats, or other water craft, of five tons burthen and over, with their tackle, rigging and furniture, and all else that pertains to them, and all other floating property owned by others than express, steamships, or steamboat companies," assessed for taxation; now, therefore,

Resolved, That the committee on finance and banks be directed to investigate whether the above assessments are correct, and make their report to the Senate.

Mr. KANE offered the following joint resolution, which, on his motion, was referred to the committee on privileges and elections:

Resolved, by the Senate (the House of Delegates concurring),

That M. T. Evans, W. D. Mc Niel and D. Hoge Bruce be and are hereby appointed and constituted the electoral board of the county of Wise, to fill vacancies existing in said board.

The following Senate bills were taken up, read the second time, and ordered to be engrossed and read a third time:

No. 86, Senate bill to authorize the council of the city of Portsmouth to issue bonds for the completion of its sewerage, to continue the paving and grading of its streets, and to redeem its portion of ferry bonds.

No. 87, Senate bill ratifying and confirming a resolution of the council of the city of Portsmouth adopted in relation to the terms of its members.

No. 7, Senate bill to incorporate Alberene Railroad Company.

No. 19, Senate bill to authorize the Progressive Endowment Guild of America to deposit securities with the treasurer, and to make annual reports to the auditor.

The bill was taken up, read the second time, and the amendments proposed by the committee on general laws were agreed to; and the bill as amended was ordered to be engrossed and read a third time.

No. 58, Senate bill allowing H. R. Stowers, late treasurer of Bland county, further time for collecting uncollected taxes in Bland county.

The bill was taken up, read the second time, and the amendments proposed by the committee on finance and banks were agreed to; and the bill as amended was ordered to be engrossed and read a third time.

No. 60, Senate bill to prescribe the mode by which unpaid subscriptions to joint stock companies may be recovered by said companies, their receivers or assignees.

The bill was taken up, read the second time, and the amendments proposed by the committee on general laws were agreed to; and the bill as amended was ordered to be engrossed and read a third time.

No. 70, Senate bill to incorporate the Virginia Mineral Railway Company.

The bill was taken up, read the second time, and the amendments proposed by the committee on roads and internal navigation were agreed to; and the bill as amended was ordered to be engrossed and read a third time.

No. 80, Senate bill to reinstate and amend the charter of the Atlantic, Staunton and West Virginia Railroad Company.

The bill was taken up, read the second time, and the amendments proposed by the committee on roads and internal navigation were agreed to; and the bill as amended was ordered to be engrossed and read a third time.

No. 85, Senate bill to amend an act entitled an act to incorporate

the Bland County Land, Improvement, Development and Transportation Company, approved February 20th, 1890.

The bill was taken up, read the second time, and the amendments proposed by the committee on roads and internal navigation were agreed to; and the bill as amended was ordered to be engrossed and read a third time.

On motion of Mr. KEEZELL, the Senate adjourned until to-morrow twelve o'clock.

TUESDAY, DECEMBER 17, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Dr. W. G. Starr.

Journal of yesterday read by the clerk.

A message was received from the House of Delegates by its clerk as follows:

In House of Delegates, December 16, 1895.

The House has passed Senate bills entitled an act to amend and re-enact section 2224 of the Code of Virginia, relating to the prohibition of marriage within certain degrees. No. 20; and an act to permit Thomas Gant Alderson to obtain license to practice law in the courts of Virginia, No. 37.

They have agreed to Senate concurrent resolution in relation to muster of Virginia soldiers in the late war.

They have passed House bills entitled an act to provide for working and keeping in repair the public roads of Washington county, No. 20; an act ratifying and confirming a resolution of the council of the city of Portsmouth, adopted in relation to the terms of its members, No. 26; an act to authorize the council of the city of Portsmouth to issue bonds for the completion of its sewerage, to continue the paving and grading of its streets, and to redeem its portion of ferry bonds, No. 27; an act to incorporate the Young Men's Christian Association of Hampton, Va., No. 31; and an act to amend and re-enact section 2266 of the Code of Virginia, in relation to when and how decree for divorce from bed and board may be revoked, or divorce from bond of matrimony granted, No. 32.

In which bills they request the concurrence of the Senate.

No. 20, House bill entitled an act to provide for working and keeping in repair the public roads of Washington county, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 26, House bill entitled an act ratifying and confirming a resolution of the council of the city of Portsmouth, adopted in relation to the terms of its members, was taken up, twice read, and, on motion of Mr. MAYNARD (the rules being suspended therefor), placed on the calendar.

The bill was subsequently taken up, and, on his further motion (two-thirds concurring), was read the third time, and passed with its title.

✓ No. 27, House bill entitled an act to authorize the council of the city of Portsmouth to issue bonds for the completion of its sewerage, to continue the repairing and grading of its streets, and to redeem its portion of ferry bonds, was taken up, twice read, and, on motion of Mr. MAYNARD (the rules being suspended therefor), placed on the calendar.

The bill was subsequently taken up, and, on motion of Mr. MAYNARD (two-thirds concurring), was read the third time, and passed with its title.

✓ No. 31, House bill entitled an act to incorporate the Young Men's Christian Association of Hampton, Va., was taken up, twice read, and referred to the committee on general laws.

✓ No. 32, House bill entitled an act to amend and re-enact section 2226 of the Code of Virginia, in relation to when and how decree for divorce from bed and board may be revoked, or divorce from bond of matrimony granted, was taken up, twice read, and referred to the committee for courts of justice.

Mr. LITTLE, from the committee on privileges and elections, reported without amendment, the following joint resolution :

Resolved (the House of Delegates concurring), That M. T. Evans, W. D. McNiel and D. Hoge Bruce be and are hereby appointed and constituted the electoral board of the county of Wise, to fill vacancies existing in said board.

The resolution was taken up, and, on motion of Mr. KANE, agreed to.

Mr. JONES, from the committee for courts of justice, reported with an amendment,

No. 68, Senate bill to amend and re-enact section 3191 of the Code of Virginia, as amended and re-enacted by an act approved February 2, 1892, entitled an act to amend and re-enact section 3191 of the Code of Virginia, relating to the licensing of persons to practice law in this State.

The bill was subsequently taken up, read the second time, and the amendments of the committee agreed to.

Mr. STUBBS made an unsuccessful motion to have the bill passed by.

The question recurring on the engrossment and third reading of the bill was determined in the affirmative—ayes, 21; noes, 12.

On motion of Mr. STUBBS, the vote was recorded as follows :

AYES—Messrs. Claytor, Clement, Echols, Fairfax, Flood, Green, Hay, Jones, LeCato, Little, Lovenstein, Lowry, Mason, McIlwaine, Morris, Mushbach, Sands, Snead, Southall, Williams, and Withers—21.

NOES—Messrs. Barne, Brown, Flanagan, Hale, Kane, Keezell, Maynard, McCune, Parr, St. Clair, Stubbs, and Wickham—12.

He, from the same committee, reported without amendment, No. 99, Senate bill to make husband and wife competent witnesses for or against each other in civil and criminal cases.

The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

He, from the same committee, reported without amendment, No. 107, Senate bill to amend and re-enact section 1135 of Code of Virginia, relating to the issuance of new certificates of stock of chartered company when former one is lost.

The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

And he, from the same committee, reported without amendment,

No. 106, Senate bill to amend and re-enact an act to amend and re-enact section 3319 of chapter 163, Code of Virginia, in relation to the appointment of commissioners in chancery, as amended and re-enacted by an act approved February 4, 1890, and by an act approved February 24, 1890, and by an act approved March 4, 1892, and by an act approved January 29, 1894, and by an act approved February 27, 1894.

The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

Mr. ECHOLS, from the committee on roads and internal navigation, reported with amendments,

No. 55, Senate bill to extend the time for commencing and completing the construction of the railroad authorized under the act of the General Assembly, approved March 3, 1894, incorporating the River Front Railroad Company.

The bill was subsequently taken up, read the second time, and the committee's amendments agreed to, and as amended the bill was ordered to be engrossed and read a third time.

Mr. STUBBS, from the committee on public institutions and education, reported without amendment,

No. 5, House joint resolution in relation to the construction of a public building in Portsmouth.

The resolution was subsequently taken up, read the third time, and agreed to.

He, from the same committee, reported without amendment,

No. 8, House bill entitled an act to amend and re-enact section 4 of an act entitled an act to incorporate Chatham Female Institute, approved February 24, 1894, in relation to the manner in which the property of said Institute shall be used, held, conveyed, and encumbered.

The bill was subsequently taken up, read the third time, and passed with its title.

And he, from the same committee, reported without amendment, No. 100, Senate bill to permit the governor of Virginia to furnish small arms to the Newport News Military Academy.

The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

Mr. MORRIS, by leave, presented,

No. 129, Senate bill to authorize the rector and visitors of the University of Virginia to borrow money; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MORRIS, by leave, presented

No. 130, Senate bill dedicating and appropriating to the rector and visitors of the University of Virginia the dividends to accrue from the 30th day of September, 1895, to and including the 31st day of March, 1901, on the stock and dividend obligations of the Richmond, Fredericksburg and Potomac Railroad Company belonging to the State of Virginia, and now held by the commissioners of the sinking fund; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MORRIS, by leave, presented

No. 131, Senate bill to provide for the restoration and erection of suitable buildings at the University of Virginia to supply the place of those recently destroyed by fire; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. WICKHAM, by leave, presented

No. 132, Senate bill requiring a list of all allowances against the Commonwealth other than allowances to jurors and witnesses made at any term of a court of the Commonwealth, to be certified by the judge of the court and the clerk thereof, and transmitted to the auditor of public accounts immediately upon the adjournment of each term of a court of the Commonwealth; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WICKHAM, by leave, presented

No. 133, Senate bill to amend and re-enact section 3164 of the Code of Virginia in reference to allowances to jurors, and requiring lists, certified by the judge of the court and the clerk thereof, to be sent to the treasurer of the county or corporation and to the auditor of public accounts, immediately after the adjournment of any court; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WICKHAM, by leave, presented

No. 134, A bill to amend and re-enact sections 3549 and 3550 of the Code of Virginia in reference to allowance to witnesses; how

and by whom entered; by whom and upon what certificate paid, and requiring lists, certified by the judge of the court and the clerk thereof, of all allowances made witnesses on behalf of the Commonwealth, to be sent to the treasurer of the county or city and to the auditor of public accounts, immediately after the adjournment of any court; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WITHERS, by leave, presented

No. 135, A bill to take the sense of the people upon the call of a convention to revise and amend the Constitution; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WITHERS, by leave, presented

No. 136, A bill to define trusts, provide for penalties and punishment of corporations, persons, firms and associations of persons connected with them, and to promote free competition in the State of Virginia, and to repeal all laws and parts of laws in conflict with this act; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH (by request), by leave, presented

No. 137, A bill to protect game and to punish unlawful hunting in the counties of Alexandria, Fairfax and Prince William, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. MAYNARD, by leave, presented

No. 138, A bill to amend and re-enact section 2458 of the Code of Virginia in relation to fraudulent assignments, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. McCUNE, by leave, presented

No. 139, A bill governing the location of toll-gates, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. JONES, by leave, presented

No. 140, A bill to amend and re-enact section 18 of an act entitled an act to provide a charter for the city of Buena Vista, approved February 15, 1892, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. ST. CLAIR (by request), by leave, presented

No. 141, A bill repealing an act entitled an act for the protection of fish in Bland, Tazewell and Smyth counties, so far as it relates to the county of Bland, which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. MASON (by request), by leave, presented

No. 142, A bill to authorize the board of supervisors of the county

of Isle of Wight to borrow money for the purchase of metallic furniture for the clerk's office of said county, which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. SANDS, by leave, presented

No. 143, A bill to amend and re-enact an act entitled an act to amend and re-enact section 11 of an act approved January 24, 1894, and entitled an act to incorporate the Richmond Gayton and Southside Railroad Company, approved January 26, 1892, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. SANDS, by leave, presented

No. 144, A bill to amend and re-enact section 18, chapter 1, of an act entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt; and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquor, or any mixtures thereof, in cases where a court certificate is required, approved March 6, 1890, in reference to taxing insurance companies, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BARNES, by leave, presented

No. 145. A bill to amend and re-enact section 6 of the charter of the city of Williamsburg, and to authorize the common council to issue bonds for the sum of five thousand dollars, for the purpose of erecting and furnishing a school building for white children of said city, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. STUBBS, by leave, presented a joint resolution to appoint R. E. Wynn, agent of the State of Virginia, to collect and settle claims due from the United States to Virginia, which was read, and, on his motion, referred to the committee on finance and banks.

Mr. KEEZELL, by leave, presented the following joint resolution:

Resolved (the House of Delegates concurring), That the auditor of public accounts be and he is hereby requested to furnish a statement showing the amount of revenue derived from the oyster industry for the fiscal year ending September 30th, 1895, on accounts of rents from planted grounds, and what from the natural rocks, from fees, &c., from dredgers and tongs.

The resolution, on his motion, was taken up (the rules being suspended therefor), and agreed to.

Ordered, that he inform the House of Delegates thereof, and request their concurrence therein.

On motion of Mr. LITTLE,

Resolved, That the public printer be required to furnish the Senate with information as to why the cost of printing private bills

is from 20 to 30 per cent. higher than during last session, and why there are so many errors in the printing of public bills.

On motion of Mr. MUSHBACH, the committee on general laws was discharged from the further consideration of

No. 28, House bill entitled an act to amend and re-enact the charter of Bethel Cemetery Company, granted February 15, 1885; and on his further motion (the rules being suspended therefor), was placed on the calendar.

The bill was subsequently taken up and amended, and as amended was read the third time and passed.

The title of the bill was then amended, and as amended, agreed to as follows:

"An act to amend and re-enact the act to incorporate the Bethel Cemetery Company, approved December 15, 1885."

On motion of Mr. MASON,

Resolved, That the committee on rules be and is hereby directed to define what class of bills shall be considered private.

The PRESIDENT appointed Messrs. WITHERS, JONES and HAY as members, on the part of the Senate, of the special joint committee provided for by the joint resolution regarding the criminal expenses of the State.

Mr. WITHERS (by request), by leave, presented

A joint resolution referring that portion of the governor's message regarding the systematic and permanent improvement of the public roads to a special joint committee.

The resolution was read and laid over one day, under the rules.

No. 86, Senate bill to authorize the Council of the city of Portsmouth to issue bonds for the completion of its sewerage, to continue the paving and grading of its streets, and to redeem its portion of ferry bonds, was taken up, and on motion of Mr. MAYNARD, was indefinitely postponed.

No. 87, Senate bill ratifying and confirming a resolution of the council of the city of Portsmouth, adopted in relation to the terms of its members, was taken up, and on motion of Mr. MAYNARD, indefinitely postponed.

The following Senate bills were taken up, read the third time, and passed with their titles:

No. 7, Senate bill to incorporate Alberene Railroad Company.

No. 19, Senate bill to authorize the Progressive Endowment Guilds of America to deposit securities with the State treasurer, and to make annual report to the auditor.

No. 58, Senate bill allowing H. R. Stowers, late treasurer of Bland county, further time for collecting uncollected taxes in Bland county.

No. 60, Senate bill to prescribe the mode by which unpaid subscription to joint stock companies may be recovered by said companies, their receivers or assignees.

Ordered, That Mr. WITHERS inform the House of Delegates thereof.

No. 70, Senate bill to incorporate the Virginia Mineral Railway Company.

No. 80, Senate bill to reinstate and amend the charter of the Atlantic, Staunton and West Virginia Railroad Company.

No. 85, Senate bill to amend an act entitled an act to incorporate the Bland County Land, Improvement, Development and Transportation Company, approved February 20, 1890, was taken up, read the third time, and passed.

The title of the bill was then amended, and as amended, agreed to as follows:

An act to amend and re-enact sections 2 and 4 of an act entitled an act to incorporate the Bland County Land, Improvement, Development and Transportation Company, approved February 22, 1890, to amend and re-enact the title thereof, and to enlarge the powers of said company so that it may exercise the rights and privileges of a railroad company as prescribed.

No. 27, Senate bill to permit the registration of M. H. McClintic as a pharmacist, was taken up, read the second time, and ordered to be engrossed and read a third time.

On motion of Mr. SANDS, the Senate adjourned until to-morrow at 12 o'clock.

WEDNESDAY, DECEMBER 18, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. W. G. Starr, D. D.

Journal of yesterday read by the clerk.

A message was received from the House of Delegates by their clerk as follows:

In House of Delegates, December 17, 1895.

✓ The House of Delegates has passed Senate bill to authorize the board of supervisors of Greenesville county to issue bonds in payment for a new fire-proof clerk's office and fire-proof furniture for same, No. 26.

✓ They have agreed to the Senate amendments to House concurrent resolution requesting the auditor of public accounts to furnish information regarding the status of the accounts of certain officers.

✓ They have passed House bills entitled an act to amend and re-enact sections 1 and 9 of an act entitled an act to incorporate the Chesapeake Bay and Great Western Railway Company, approved February 19, 1894, No. 25, and an act to refund to Carrington W. Mosby certain taxes improperly paid to the State, No. 33.

In which bills they request the concurrence of the Senate.

✓ No. 25, House bill entitled an act to amend and re-enact sections 1 and 9 of an act entitled an act to incorporate the Chesapeake Bay and Great Western Railway Company, approved February 19, 1894, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 33, House bill entitled an act to refund to Carrington W. Mosby certain taxes improperly paid to the State, was taken up, twice read, and referred to the committee on finance and banks.

✓ A communication from the public printer, in response to the resolution requesting information regarding the printing being done for the Senate this session, was received, read, and, on motion of Mr. JONES, referred to the committee on public printing.

Mr. STUBBS, for Mr. SANDS, from the committee on general laws, reported with a substitute,

✓ No. 2, Senate bill to incorporate the Bridgewater Construction Company.

The bill was subsequently taken up, read the second time, the substitute proposed by the committee agreed to, and the bill, as amended by the substitute, was ordered to be engrossed and read a third time.

He, from the same committee, reported with a substitute

✓ No. 3, Senate bill to incorporate the Bridgewater and Forge Granite and Lumber Company.

The bill was subsequently taken up, read the second time, and the substitute proposed by the committee was agreed to, and the bill, as amended by the substitute, was ordered to be engrossed and read a third time.

He, from the same committee, reported without amendment,

✓ No. 69, Senate bill giving the consent of this State to the purchase by the United States of certain real estate in the county of Norfolk, and exempting the same from taxation.

The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

And he, from the same committee, reported with amendments,

✓ No. 127, Senate bill to amend and re-enact an act entitled an act authorizing the board of supervisors of Pittsylvania county to issue bonds of said county for the purpose of raising money to pay off bonds of said county, approved February 7, 1894.

The bill was subsequently taken up, read the second time, the committee's amendments agreed to, and ordered to be engrossed and read a third time; and being forthwith engrossed, was, on motion of Mr. TREDWAY (two-thirds concurring), read a third time and passed with its title.

Mr. ECHOLS, from the committee on roads and internal navigation, reported with amendments,

✓ No. 81, Senate bill to incorporate Basic City, Bridgewater and Piedmont Electric Railway Company.

The bill was subsequently taken up, read the second time, the

amendments proposed by the committee on roads and internal navigation were agreed to, and, as amended, the bill was ordered to be engrossed and read a third time.

He, from the same committee, reported with amendments,

- ✓ No. 114, Senate bill to incorporate the Bristol Terminal Company.
- ✓ And he, from the same committee, reported with amendments,
- ✓ No. 123, Senate bill to amend and re-enact an act entitled an act to incorporate the Bristol and Northern Railroad Company, approved March 1, 1892, and subsequently amended and re-enacted by an act approved March 3, 1894.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment,

- ✓ No. 109, Senate bill to allow M. S. Cahoon, treasurer of Botetourt county, further time to make settlements and return delinquents and collect tax tickets.

He, from the same committee, reported that the committee on finance and banks be discharged from the further consideration of the following bills, and recommend that they be referred to the special joint committee on criminal expenses:

- ✓ No. 116, Senate bill entitled an act to repeal section 3528 of the Code of Virginia in relation to fees of attorneys for the Commonwealth.
- ✓ No. 117, Senate bill entitled an act to repeal section 3526 of the Code of Virginia in relation to attorneys for the Commonwealth.
- ✓ No. 119, Senate bill entitled an act to fix compensation of sheriffs for services rendered by them to the Commonwealth.
- ✓ No. 120, Senate bill entitled an act to repeal section 3525 of the Code of Virginia.
- ✓ No. 121, Senate bill entitled an act to amend and re-enact section 3531 of the Code of Virginia in relation to fees of sheriffs, sergeants, constables, criers, and coroners.

And he, from the same committee, reported the following joint resolution; which, on his motion, was taken up (the rules being suspended therefor) and agreed to, in the following words:

- ✓ Whereas, the governor of this Commonwealth has specifically called the notice of this General Assembly to the fact that in May, 1894, a demand was made for the payment of these bonds, (aggregating, as stated by the treasurer of the United States in his demand, \$540,000 principal,) and refused upon the following impregnable grounds, as set forth in the letter of A. W. Harman, Esq., treasurer of the State of Virginia, to Hon. D. H. Morgan, treasurer of the United States: 1st, because no appropriation had ever been made to pay them; 2d, because the bonds were issued before the dismemberment of the State of Virginia, but no credit was allowed for West Virginia's "equitable proportion" of said bonds; 3d, because the Government of the United States is indebted to the Commonwealth of Virginia for advances made and money loaned during the War of 1812, amounting, on the 1st day of January, 1894, to \$1,596,022.04; and

Whereas, it is a matter of record that for forty-five years Virginia has been demanding payment of these advances and loans, and ever since the United States became the holder of the registered bonds aforesaid, Virginia has been ready to give due credit for the same upon the United States indebtedness to her, but to the present time she has failed to secure a settlement—one branch or the other of Congress having repeatedly, but at different sessions, recognized Virginia's claim, and passed bills to pay her; and

Whereas, other States have been paid the advances made by them, but Virginia, as patriotic and true as any, and so liberal in her territorial donations to the Union, has been left to continue her demands; now, therefore,

Resolved by the Senate of Virginia (the House of Delegates concurring), That the senators of the United States from Virginia be instructed, and the representatives in Congress from Virginia be requested, to present this memorial to Congress and to urge a speedy settlement and adjustment of these respective claims, taking such action, by introduction of bill or otherwise, as may in their judgment present the most practicable method of accomplishing this result.

Resolved, further, That the governor of this Commonwealth be, and is hereby requested, to transmit this joint resolution to the senators and representatives of Virginia in Congress of the United States, with such further communication as he may be prepared to make in reference to the same.

Ordered, That Mr. WICKHAM inform the House of Delegates thereof and request its concurrence therein.

Mr. SOUTHALL presented the report of the special committee to examine the second auditor's office, which, on his motion, was read and agreed to.

Mr. JORDON, by leave, presented

No. 146, A bill to amend and re-enact an act entitled an act to amend and re-enact section 622 of the Code of Virginia, in reference to the property that may be distrained for taxes, approved January 15, 1890, approved March 2, 1894, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. LOVENSTEIN, from the special joint committee, presented the following report :

RICHMOND, VA., December 17, 1895.

To the General Assembly of Virginia :

The undersigned committee appointed under the following resolution adopted at the last session of the General Assembly,

Resolved, by the Senate (the House of Delegates concurring), That a committee, consisting of the lieutenant-governor, speaker of the House of Delegates, and one member of the Senate and two members of the House of Delegates, be appointed to have said (Capitol) building fitted up under the supervision of the superintendent of public buildings, respectfully report that they have performed that duty and beg leave to submit the following :

As soon as the building was vacated by those officers who had been assigned space in the new library building, we proceeded to the work assigned us, and found

that no rooms were assigned in the new building to the superintendent of public printing, and, on application, we consented to the use of the rooms formerly occupied by the second auditor and treasurer, which have been fitted up for his use.

The governor requiring another room for the use of his office, the room formerly occupied by the Virginia Historical Society was assigned to him, and a room in the basement assigned to said society. The secretary of the Commonwealth also required additional room, and the room adjoining his office was assigned him for the storage of books, but retaining it for use of committees during the session of the General Assembly. This left only a limited space to be fitted up, but we believe it will be sufficient for the accommodation of the committees, and will be found more convenient, comfortable and economical than the former system of renting rooms outside of the building.

We have also had fitted up one of the rooms for the use of the clerk of the House of Delegates and an office for the clerk of the Senate, which rooms were very much needed for these officials.

In every instance we received competitive bids for the work, and submit herewith bills for the same.

We also submit a proposition to complete the work of paving the basement, which is much needed, and which we recommend shall be done. We submit a bill covering the appropriations for the work already completed and recommended.

WILLIAM LOVENSTEIN,
Chairman,
 JAMES ALSTON CABELL,
 JOHN S. HARWOOD,
 J. F. RYAN,
 R. C. KENT,
Committee.

Mr. LOVENSTEIN, from the same committee, presented

- ✓ No. 147, Senate bill making an appropriation for completion of repairs at the Capitol, which, on his motion, was read the first time and ordered to be read a second time; on his further motion (two-thirds concurring), was read the second time, and ordered to be engrossed, and read a third time; and on his further motion (two-thirds concurring), was read the third time, and passed with its title—ayes 31; noes none.

On motion of Mr. LOVENSTEIN, the vote was recorded as follows :

AYES—Messrs. Barnes, Brown, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McCune, McIlwaine, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Wickham, and Williams—31.

NOES—None.

Mr. PARR, by leave, presented

- ✓ No. 148, A bill to allow a pension to Sarah Right, of Patrick county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. TREDWAY, by leave, presented

- ✓ No. 149, A bill to amend and re-enact section 3680 of the Code of Virginia, in reference to rape and its punishment; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. LITTLE, by leave, presented

✓ No. 150, A bill to incorporate the Mineral Belt Railway and Tramway Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. LECATO offered the following:

Resolved (the House of Delegates concurring), That when the General Assembly adjourns on Friday next, it adjourn until January 2, 1896; which, on his motion (the rules being suspended therefor), was taken up.

Whereupon, Mr. MUSHBACH proposed a substitute for the resolution in the following words:

Resolved (the House of Delegates concurring), That when the General Assembly adjourns on Friday, December 20, 1895, it adjourn to meet at 12 o'clock noon on Monday, January 6, 1896.

Mr. MORRIS moved to amend the substitute as follows:

Resolved (the House of Delegates concurring), That when the General Assembly adjourns on Friday next, it adjourn to meet on Monday, December 30, 1895.

The question being put, was determined in the negative.

The question then recurring upon the adoption of the substitute, as proposed by Mr. MUSHBACH, was determined in the affirmative—ayes, 18; noes, 15.

On motion of Mr. STUBBS, the vote was recorded as follows:

AYES—Messrs. Barnes, Fairfax, Flanagan, Flood, Hay, G. W. Jackson, Jones, Jordan, Kane, Lovenstein, Lowry, McIlwaine, Mushbach, Snead, Southall, St. Clair, Tredway, and Williams—18.

NOES—Messrs. Brown, Claytor, Clement, Echols, Green, Hale, Keezell, LeCato, Little, Mason, McCune, Morris, Parr, Stubbs, and Wickham—15.

✓ A message was received from the executive by his private secretary; which, on motion of Mr. JONES, was referred to the committee for courts of justice and ordered to be printed.

GOVERNOR'S OFFICE,
RICHMOND, VA., *December 18, 1895.*

To the General Assembly of Virginia:

On the 14th day of June last a most atrocious murder was committed in the county of Lunenburg, in this State. A negro man and three negro women were arrested, charged with the murder. The excitement became intense, and the sheriff of said county, fearing violence to the prisoners, removed them to the jail of the city of Petersburg for safe keeping. On the first day of July last the sheriff applied to me in person for a military guard to said prisoners when it should become necessary to convey them back to said county for trial, at the same time presenting to me a letter in the following words:

LUNENBURG COURTHOUSE, *July 1, 1895.*

Governor CHARLES T. O'FERRALL:

Mr. M. C. Cardoza, sheriff of the county of Lunenburg, will request troops for the protection of the parties charged with the murder of Mrs. Mary J. Pollard. The said parties charged with the murder are at this time in the jail of the city of Petersburg for safe keeping.

The human mind cannot conceive of an offence more brutal than the murder of Mrs. Pollard, and the feeling against the prisoners is so strong that unless Mr. Cardoza's request is granted I fear the parties charged with said offence will not be tried by the civil authority, etc.

(Signed) W. E. NEBLETT, Commonwealth's Attorney.

(Signed) GEORGE C. ORGAIN, Judge County Court of Lunenburg.

I informed the sheriff I would give him a military guard of fifty men when the time came to return the prisoners to said county; he insisted that the guard should consist of not less than one hundred men, stating that the prisoners were in as much danger from citizens of the adjoining counties as they were from citizens of Lunenburg, and that without a strong guard he did not think he would be able to convey them to the Lunenburg jail, much less protect them during their trials. I finally agreed to order out two companies of about eighty men.

On the 11th day of July said sheriff applied for the military guard, and the following order was issued:

COMMONWEALTH OF VIRGINIA,

ADJUTANT GENERAL'S OFFICE,

RICHMOND, VA., July 11, 1896.

Brigadier General A. L. Phillips,

Commanding First Brigade Virginia Volunteers:

SIR: You will order Colonel H. C. Jones, commanding First Virginia Regiment Infantry, Virginia Volunteers, to detail Companies A and B, First regiment, under command of Major J. H. Derbyshire, to report, armed and equipped, for duty, to the sheriff of Lunenburg county, at such time and place as will hereafter be designated, and to obey such orders as the said sheriff may give under the statute.

The detail must not consist of more than eighty officers and men.

By order of the governor and commander-in-chief.

CHARLES J. ANDERSON, Adjutant-General.

WILLIAM M. EVANS, Major and A. A. G.

Major Derbyshire, in pursuance of said order, reported to the said sheriff at the Richmond and Danville depot, in the city of Richmond, and received from said sheriff an order as follows:

RICHMOND, VA., July 11, 1896.

Major J. H. Derbyshire, Commanding:

SIR: You are hereby ordered to furnish me escort and safe guard for the prisoners under my charge from Richmond, Va., to the jail of Lunenburg county, and while there to use such means as may be necessary with your command to prevent said prisoners from being taken from my custody or the custody of those to whom I may commit them, and to continue to furnish such escort and guard until duly relieved by me.

In the execution of the order you will use such discretion as may seem to you necessary.

(Signed) M. C. CARDOZA, Sheriff Lunenburg County.

Under military guard, the prisoners were taken to the county seat of Lunenburg county and lodged in jail on the 12th day of July. Indictments were found, and the prisoners put on trial. The trials lasted for several days.

On the 15th day of July the following order was entered by the judge of the county court of said county:

"Ordered that J. H. Derbyshire, major commanding, etc., be authorized to remove from the county jail, in his discretion, Solomon Marable, Mary Abernathy, and Pokey Barnes, to the courthouse building, for their safe-keeping, until the opening of the court to-morrow morning at 9 o'clock."

On the 16th day of July, Major Derbyshire, commanding, wired me for an additional company of soldiers, stating that the condition of affairs was very serious, and that his call for reinforcements was made after conference with the judge, commonwealth's attorney, and sheriff, whereupon an order was issued as follows:

*"Brigadier-General A. L. Phillips,
Commanding First Brigade Virginia Volunteers :*

Sir,—By order of the governor and commander-in-chief, you will order Colonel H. C. Jones to reinforce Major Derbyshire at Lunenburg courthouse, with one company of the first regiment, not to exceed in number thirty men. Colonel Jones will give attention to the transportation of the company and details of this order.

Very respectfully,

CHARLES J. ANDERSON,
Adjutant-General."

This company proceeded to Lunenburg courthouse, and reported to Major Derbyshire.

The prisoners, Solomon Marable, Mary Abernathy, and Pokey Barnes, were convicted of murder in the first degree and sentenced to be hung.

On the 20th day of July the following order was entered by the judge of said court:

"The court, deeming it necessary for the safe-keeping of the prisoners, William Henry Marable, sometimes called Solomon Marable, Mary Abernathy, and Pokey Barnes, who are convicted to be hanged on September 20th next, doth adopt the jail of the city of Richmond as the jail of this county. And the sheriff of this county is ordered to convey to the said jail the said William Henry Marable, sometimes called Solomon Marable, Mary Abernathy, there to be safely — and treated until brought back by said sheriff to this county for execution."

By virtue of this order, the prisoners were removed from the jail of Lunenburg county to the jail of Richmond city, and, by direction of the sheriff, under military guard, as will be seen by the following order:

LUNENBURG C. H., Va., July 20th, 1895.

Major J. H. Derbyshire :

Sir,—The duty for which you were ordered here having been completed, as to the trial of the Pollard murderers, the prisoners being ordered to the Richmond jail for safe-keeping, I desire you to escort Mr. Colin Bagley, deputy sheriff, and his guards, who have charge of the prisoners to be conveyed to said jail; and after said duty is performed, you can report to the proper officer.

Very respectfully,

M. C. CARDOZA,
Sheriff Lunenburg County, Va."

The conduct of the soldiers was commended by the judge and sheriff, by letters, in the following words:

LUNENBURG C. H., July 20, 1895.

*Major J. H. Derbyshire, Commanding Troops,
Lunenburg Courthouse, Va. :*

Major,—In my own behalf, and of the people of Lunenburg, I desire to bear testimony of the soldierly bearing and gentlemanly conduct of yourself and the troops of your command while in our county.

When Cornelia was asked for her jewels, she pointed to her children, and Virginia, when asked for her jewels, can point with pride to yourself and the brave officers and privates of your command. In parting with you and your gallant soldiers, I beg you will accept my best wishes, both for yourself and them, and wish yourself and command a pleasant return to your home.

I would be gratified if you will read this testimonial of my regard for yourself and the brave men and officers of your command, if agreeable to you, to them.

Very respectfully,

(Signed),

GEORGE C. ORGAIN,
Judge County Court of Lunenburg.

"WHITTLE'S MILLS, VA., July 25, 1895.

DEAR SIR.—Your prompt response in sending to our county such efficient aid as the following battalion: Company A, Richmond Grays; Company B, Walker Light Guard; and Company D, Old Dominion, evokes from her people an eulogium fully worthy of the leader of our matchless Virginia.

Your troops won admiration unreservedly for their faithful discharge of duty. Their conciliatory spirit and true obedience to superiors in command by whose prudence the law has been sustained, my country's reputation remains unspotted, and her citizens now recognize the right that each and every offender must be tried by an impartial jury composed of his peers.

Major Derbyshire and Captain Cunningham are deserving of individual merit, and their stout-hearted young soldiers are men among many.

Hoping that time may allow you to still further remove the mists from a once benighted land, and to you, our governor, under whose matchless administration a country smiles again, may happiness and prosperity be forever,

I am, your humble and obedient servant,

W. E. NEBLETT,

Attorney for the Commonwealth for Lunenburg Co

To His Excellency Governor CHAS. T. O'FERRALL,
Richmond, Va."

LUNENBURG C. H., VA., July 20, 1895.

MAJOR DERBYSHIRE:

SIR,—I have just heard that you were arranging, by striking tents, burning rubbish and having wagons brought here, to convey your soldiers to R. R. from this place.

I wish to convey to the officers and privates under your command my thanks for their conduct, while here, in the discharge of their duties; and in tendering thanks to the military, it reflects great credit on the citizens of this county that they restrained their natural indignation and respected the laws of our country.

Respectfully,

M. C. CARDOZA,

Sheriff Lunenburg County, Va.

Writs of errors and supersedeas were awarded to the judgments of the said county court in the cases of Marable, Abernathy and Barnes. Pending these appeals, the judge of said county court ordered the said prisoners to be returned to the jail of the said county of Lunenburg, to be present when certain proposed proceedings were to be had in the county court thereof. Believing that the prisoners would not be safe if returned without a military guard, and being advised by the attorney-general that their presence in said county was not necessary, and it being suggested to me by the Hon. Wm. H. Mann, special Commonwealth's attorney of the said county of Lunenburg, that in view of the opinion of the attorney-general, a special messenger be sent to Judge Orgain, asking him to instruct the sheriff not to bring the prisoners, I dispatched a special messenger, in accordance with said suggestion, to Judge Orgain, and directed the sheriff of the city of Richmond not to deliver the prisoners to the sheriff of said county until I could communicate with and hear from Judge Orgain.

This course of mine, in acting upon the suggestion of the special Commonwealth's attorney of Lunenburg county, and directing the retention of the prisoners only until I could, as the executive, communicate with and hear from the judge of said county court, and which action was taken solely for the purpose of protecting the prisoners against unnecessary peril, was declared by the supreme court of appeals as "being without authority." Whereupon the prisoners, by counsel, applied to the said supreme court of appeals for an enlargement of the writs of error, by directing the said prisoners to remain in the jail of the said city of Richmond, pending their appeal, alleging that they were in mortal dread of mob violence in case they were returned, and the said supreme court of appeals, believing, no doubt, from the records in the cases, that the fears of the prisoners were well founded, granted their petition, and ordered that they be retained in the jail of the said city, pending their appeals. The appeals have now been heard, and the judgments of the said county court of Lunenburg county have been set

aside, and new trials awarded to all of the said prisoners, and they will soon be returned necessarily to the jail of the said county of Lunenburg for trial. But the sheriff of said county declared some time since, and still declares, that he will not call for troops to guard the prisoners on their return, or pending their trials.

That there was imminent danger of violence in July last was apparent—*first*, by the removal of the prisoners immediately after their arrest, for safe-keeping, by the sheriff to the jail of the city of Petersburg; *second*, by the call of the sheriff, judge and Commonwealth's attorney, on the 1st day of July, and by the sheriff on the 11th day of the same month, for troops; *third*, the subsequent call for reinforcements; *fourth*, the order of the judge placing the prisoners under the direct charge of the military during their trial; *fifth*, the intense excitement attending the progress of the trial, and *sixth*, the order of the judge transferring the prisoners for safe-keeping, to the jail of the city of Richmond, and even after conviction, more than one month after the murder had been committed. That there was great danger will further appear from the report of Major Derbyshire, in which he says: "On the evening of July 15th, and the morning of July 16th, I became more and more convinced that additional troops were necessary, and I therefore telegraphed to that effect." Also by an affidavit made by him, and which will be found in the record of *Barnes vs. the Commonwealth*, in which he says: "There was a great deal of heated feeling and excitement on the part of numbers of the citizens, and the indications pointed, in my judgment, to serious danger of mob violence. So impressed was I with this condition of affairs that I requested, at the hands of the commander-in-chief, that additional troops be furnished me. This suggestion was concurred in by the judge, Commonwealth's attorney and sheriff, after consultation, and this request was complied with by the governor, by his ordering Company B, from the First Regiment, to report to me at once. The troops were quartered on the court green during my entire stay and during the trials of all the parties named. Guards were detailed and were present around the jail at all hours of the day and night, and escorted the prisoners to and from the jail, and were present in the court-room during the entire progress of all the trials. These precautions were considered necessary for the protection of the prisoners. From all the facts and circumstances within my knowledge while in command of the troops at Lunenburg Court-house, I was, and am, under the impression that the prisoners were in great danger of lynching during the entire time, in spite of the presence of the military, and that without their presence the lynching of all of them would have been a foregone conclusion. And further, that threats were openly made that in the event of the acquittal of any of them, which, at one time seemed probable, they would certainly have been lynched had they been without the protection of the troops. Several times during the progress of the trial I was specially warned by the sheriff in writing, that the excitement was intense and danger was imminent."

I will here say that as a cool, deliberate and brave officer, I do not believe that Major Derbyshire has his superior in the volunteer service of the State.

Since the trials many things have occurred to increase the feeling against the prisoners, and now it is doubtless intensified by the action of the supreme court of appeals in granting a new trial.

I believe firmly, from the facts above given and from reliable private information, that if the prisoners are returned to the county of Lunenburg without a military guard, the danger of mob violence is even more imminent now than it was in July last, particularly if there should be a change of venue, acquittals or hung juries.

Lunenburg Courthouse is a small village, seventy-five to eighty miles from Richmond, sixteen to twenty miles from a railroad and telegraph station, with no telephone communication. If troops were called for at any time by the sheriff it would be many hours before they could, with the utmost celerity possible, reach the scene of trouble. It is my deliberate opinion that a sufficient military guard should accompany these prisoners from Richmond to the place of trial and remain with them until the trials are ended. It is my deliberate opinion, from the facts stated, and information in my possession, that if these prisoners are carried back without military protection, and they have any hope now, they might as well abandon it.

In saying this I do not mean to reflect upon the good men of Lunenburg county no more than the judge, commonwealth's attorney and sheriff intended to reflect

upon them when they applied so earnestly to me for troops in July last. But if any insist upon so construing it, let me say that I would be unworthy indeed to hold the high and honorable position to which I have been called, if I stifle my sense of duty to avoid the censure of the thoughtless or save the feelings of a community.

I have no doubt the people of Lunenburg as a body would condemn and discountenance mob violence, but there are bad and reckless men, and men who can be led by their passions to the commission of unlawful deeds in that county as well as elsewhere, and the judge, commonwealth's attorney and sheriff evidently thought so when they applied for troops in July last, and the developments upon the trial sustained them in their opinion.

But though I firmly believe that without a military guard the prisoners will be in imminent danger of violence, and though, as executive, I am commanded by the constitution to take care that the laws be faithfully executed and made commander-in-chief of the land and naval forces of the State, and empowered to embody the militia to repel invasion, suppress insurrection, and enforce the due execution of the laws, I entertain doubts as to my authority to send a military guard with these prisoners unless the same is called for by the sheriff who will have them in charge.

Section 211 of the Code of 1887 is in these words, "*Power of Governor to Call Out Militia*.—If any combination, whether for dismembering the State, or establishing in any part of it a separate government, or for any other purpose, shall become so powerful as to obstruct, in any part of the State, the due execution of the laws thereof, in the ordinary course of proceeding, the governor may call forth the militia, or any part thereof, to suppress such combination."

I cannot declare that I believe there is now a combination which means an association, league, coalition or conspiracy to do violence to the prisoners, and therefore it is doubtful whether I have authority to order out the military under this section. I do believe, however, that the state of feeling is such that a combination or conspiracy may be formed speedily at any time for the purpose indicated.

Section 368 of the Code of 1887, is in these words: "*How Troops Called Out in Time of Danger*.—In case of any breach of the peace, tumult, riot, or resistance of law, or imminent danger thereof, it shall be lawful for the sheriff of any county or the mayor of any city, to call upon the governor for aid, and in case where the emergency is such as not to admit of this delay, upon the commandant of any division, brigade, regiment or company."

* * * * *

The sheriff refuses to act under this section, and in the absence of a call for troops from him, I cannot take such step as I think necessary to protect the prisoners, preserve the peace and maintain the law.

Being powerless in the emergency which confronts me—an emergency which may arise at any time in the future—I respectfully recommend that section 211 above quoted be amended and re-enacted so that the section will read as follows:

"If any combination, whether for dismembering the State, or establishing in any part of it a separate government, or for any other purpose, shall become so powerful as to obstruct in any part of the State the due execution of the laws thereof, in the ordinary course of proceeding, or if there shall be any breaches of the peace, tumult, riot or resistance of law, or imminent danger thereof, the governor may call forth the militia or any part thereof to suppress such combinations, prevent breaches of the peace, suppress tumult, riot or resistance of law, and guard against danger thereof."

The Codes of New York, Pennsylvania, Ohio, Illinois, and Louisiana, and perhaps the states generally, give the power herein recommended to the governor, and the importance of the amendment suggested to section 211 of our code, it seems to me, will strike every member of your honorable body. As our law stands now, the sheriff of a county or mayor of a city only, can call into service the military, in cases of breaches of the peace, tumults, riots, or resistances of law, or imminent danger thereof. The executive has no such power. Was it intended by the law makers to subordinate the power of the governor to the will, caprice, or neglect of duty of the sheriff? Suppose there is a riot, or imminent danger thereof, and the sheriff or mayor is in sympathy with the rioters, or is intimidated by them, or captured by them, and will not or cannot call for troops;

or, suppose his judgment is at fault, or he is incredulous and refuses to recognize the fact that there is danger—must the governor, charged to take care that the laws be faithfully executed, stand with his hands tied and dumb? Such surely was never the intention of the legislature. It might be asked, why has this question never arisen before? The answer is, because no executive, so far as I am informed, was ever confronted with an embarrassment like that which now confronts me, and yet, as I have stated, it is an emergency which may arise at any time in the future.

I now respectfully submit this matter to your consideration. If, in your judgment, the power now possessed only by the sheriffs of counties and mayors of the cities should not be entrusted to the executive as well, and that these prisoners should be returned to the county of Lunenburg, in the face of all the facts stated, without a military guard, I shall, of course, cheerfully acquiesce, feeling that I have discharged my duty to the prisoners, and, in presenting an amendment to our statute, which I believe to be essential to the well-being of the commonwealth, the suppression of disorder, the preservation of the peace, and the maintenance of the law.

Inasmuch as these prisoners will most likely be removed within the next few days, I respectfully ask your honorable bodies to take immediate action in this matter.

CHAS. T. O'FERRALL.

- ✓ No. 27, Senate bill to permit the registration of M. H. McClintic as a pharmacist, was taken up, read the third time, and passed with its title.
- ✓ No. 55, Senate bill to extend the time for commencing and completing the construction of the railroad authorized under the act of the General Assembly, approved March 3, 1894, incorporating the River Front Railroad Company, which was taken up, read the third time, and passed with its title.
- ✓ No. 68, Senate bill to amend and re-enact section 3191 of the Code of Virginia, as amended and re-enacted by an act approved February 2, 1892, entitled an act to amend and re-enact section 3191 of the Code of Virginia, relating to the licensing of persons to practice law in this State; which was taken up, read the third time, and passed with its title—ayes, 19; noes, 9.

On motion of Mr. McILWAINE, the vote was recorded as follows:

AYES—Messrs. Claytor, Clement, Echols, Fairfax, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, LeCato, Little, Lowry, Mason, McIlwaine, Mushbach, Southall, Tredway, and Williams—19.

NOES—Messrs. Brown, Flanagan, Hale, Kane, Keezell, McCune, Parr, Stubbs, and Wickham—9.

- ✓ No. 99, Senate bill to make husband and wife competent witnesses for or against each other in civil and criminal cases; which was taken up, and on motion of Mr. JONES, was recommitted to the committee for courts of justice.
- ✓ No. 100, Senate bill to permit the governor of Virginia to furnish small arms to the Newport News Military Academy; which was taken up, read the third time, and passed with its title.
- ✓ No. 107, Senate bill to amend and re-enact section 1135 of the Code of Virginia, relating to the issuance of new certificate of stock

of chartered company when former one is lost; which was taken up, read the third time, and passed with its title:

- ✓ No. 111, Senate bill to authorize the county of Powhatan to borrow money, was taken up, and on motion of Mr. LOVENSTEIN, was referred to the committee on county, city and town organizations.

The following Senate bills were taken up, read the second time, and ordered to be engrossed and read a third time:

- ✓ No. 141, Senate bill repealing an act entitled an act for the protection of fish in Bland, Tazewell and Smyth counties, so far as it relates to the county of Bland.
- ✓ No. 142, Senate bill to authorize the board of supervisors of the county of Isle of Wight to borrow money for the purchase of metallic furniture for the clerk's office of said county.

On motion of Mr. HAY, the Senate adjourned until to-morrow at 12 o'clock.

THURSDAY, DECEMBER 19, 1895.

Lieutenant-Governor R. C. KENT in the chair.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk, was read as follows:

In House of Delegates, December 18, 1895.

- ✓ The House of Delegates has agreed to Senate concurrent resolution calling upon the auditor of public accounts for certain information concerning the revenues received from the oyster industry.
- ✓ They have agreed to Senate concurrent resolution in reference to the appointment of an electoral board for the county of Wise; and they have agreed to Senate concurrent resolution in regard to a recess of the General Assembly.
- ✓ They have passed Senate bills entitled an act to prescribe the mode by which unpaid subscriptions to joint stock companies may be recovered by said companies, their receivers or assignees, No. 60;
- ✓ an act to allow W. C. Corson to draw from the treasury of the State any salary due the estate of William C. Corson, deceased, and to authorize the auditor of public accounts to pay the same, No. 40;
- ✓ and an act to reinstate and amend the charter of the Atlantic, Staunton and West Virginia Railroad Company, No. 80.

They have passed House bills entitled an act to amend and reenact section 2216 of the Code of Virginia, relating to the issuing of marriage licenses, No. 34; an act to incorporate the Draper Benevolent Society, in Pulaski county, Va., No. 14.

- ✓ They have passed with amendments Senate bills entitled an act for the relief of James Hay, administrator of W. J. Cave, deceased, late treasurer of Madison county, No. 9; and an act to

amend and re-enact section 3991 of the Code of Virginia, 1887, entitled "Name of prosecutor to be written on indictments, &c., for misdemeanor, when required to give security for costs," No. 46.

In which bills and amendments they request the concurrence of the Senate.

✓ No. 14, House bill entitled an act to incorporate the Draper Benevolent Society, in Pulaski county, Virginia, was taken up, twice read, and, on motion of Mr. GREEN (the rules being suspended therefor), placed on the calendar; the bill was subsequently taken up, and, on his further motion (two thirds concurring), was read the third time, and passed with its title.

✓ No. 34, House bill entitled an act to amend and re-enact section 2216 of the Code of Virginia, relating to the issuing of marriage licenses, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 9, Senate bill entitled an act for the relief of James Hay, administrator of W. J. Cave, deceased, late treasurer of Madison county, was taken up, and the amendment proposed by the House of Delegates was agreed to.

✓ No. 46, Senate bill entitled an act to amend and re-enact section 3991 of the Code of Virginia, 1887, entitled name of prosecutor to be written on indictment, &c, for misdemeanor, when required to give security for costs, was taken up, and the amendments proposed by the House of Delegates were agreed to.

Mr. FLOOD, from the committee on fish and game, reported with an amendment,

✓ No. 89, Senate bill to prevent the extermination of partridges (or quail) in the State of Virginia.

✓ The bill was subsequently taken up, read the second time, and further amendments proposed.

✓ On motion of Mr. WICKHAM, passed by, and the bill made the special order for January 8, 1896, at one o'clock P. M.

Mr. TREDWAY, by leave, presented

✓ No. 151, Senate bill to amend and re-enact section 848 of the Code of Virginia as amended and re-enacted by an act entitled an act to amend section 818 of the Code of Virginia in relation to compensation of supervisors, approved February 26, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. TREDWAY, by leave, presented

✓ No. 152, Senate bill to amend and re-enact sections 1714, 1715, 1717, 1724, and 1725 of the Code of Virginia in relation to the powers, duties, and compensation of the State Board of Health, and to make an appropriation for maintaining the same; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. GREEN (by request), by leave, presented

✓ No. 153, A bill for the relief of Thomas C. Miller, treasurer of the town of Wytheville; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. JONES, by leave, presented

✓ No. 154, A bill to incorporate the Pacific Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. LOVENSTEIN, by leave, presented

✓ No. 155, Senate bill to amend and re-enact chapter 1271 of the Code of 1887, as amended by an act approved March 6, 1890, pertaining to the law of insurance companies; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

✓ No. 2, Senate bill to incorporate the Bridgewater Construction Company, was taken up, read the third time, and passed.

The title was then amended, and, as amended, agreed to as follows:

✓ "An act to amend and re-enact an act entitled an act to incorporate the Bridgewater Construction Company, approved January 22, 1894."

✓ No. 3, Senate bill to incorporate the Bridgewater and Forge Granite and Lumber Company, was taken up, read the third time, and passed.

The title was then amended, and, as amended, agreed to as follows:

✓ "An act to amend and re-enact an act entitled an act to incorporate the Bridgewater and Forge Granite and Lumber Company, approved March 3, 1892, as amended by an act approved January 22, 1894, and to amend the title thereto so as to read, the Fredericksburg Lumber and Granite Company."

✓ No. 69, Senate bill entitled an act giving the consent of this State to the purchase by the United States of certain real estate in the county of Norfolk, and exempting the same from taxation, was taken up, read the third time, and passed with its title—ayes 30; noes none.

On motion of Mr. STUBBS, the vote was recorded as follows:

AYES—Messrs. Barnes, Brown, Claytor, Clement, Echols, Fairfax, Flanagan, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, LeCato, Little, Lovenstein, Lowry, Mason, McCune, Morris, Mushbach, Parr, Sands, Snead, Southall, Stubbs, Tredway, and Wickham - 30.

✓ No. 81, Senate bill to incorporate Bassic City, Bridgewater and Piedmont Electric Railway Company, was taken up, read the third time, and passed with its title.

On motion of Mr. ECHOLS,

Ordered, That he inform the House of Delegates thereof

✓ No. 141, Senate bill repealing an act entitled an act for the pro-

tection of fish in Bland, Tazewell and Smyth counties, so far as it relates to the county of Bland, was taken up, read the third time, and passed with its title.

- ✓ No. 142, Senate bill to authorize the board of supervisors of the county of Isle of Wight to borrow money for the purchase of metallic furniture for the clerk's office of said county, was taken up, read the third time, and passed with its title.

On motion of Mr. LECATO, the committee on county, city, and town organizations was discharged from the further consideration of

- ✓ No. 6, House bill entitled an act to amend the charter of the town of Cape Charles, and to legalize certain acts of the town council.

The bill was then taken up, read the third time, and passed with its title.

On motion of Mr. LECATO,

Ordered, That he inform the House of Delegates thereof.

- ✓ No. 115, Senate bill to incorporate the Bristol Terminal Company, was taken up, read the second time, and the amendments proposed by the committee on roads and internal navigation were agreed to; the bill, as amended, was ordered to be engrossed and read a third time; and being forthwith engrossed

- ✓ On motion of Mr. KANE (two-thirds concurring), was read the third time, and passed with its title.

- ✓ No. 123, Senate bill to amend and re-enact an act entitled an act to incorporate the Bristol and Northern Railroad Company, was taken up, read the second time, and the amendments proposed by committee on roads and internal navigation were agreed to; the bill, as amended, was ordered to be engrossed and read a third time; and being forthwith engrossed,

- ✓ On motion of Mr. KANE (two thirds concurring), was read the third time, and passed with its title.

- ✓ No. 109, Senate bill to allow treasurer of Botetourt county further time to make settlements and return delinquents and collect tax-tickets, was taken up, read the second time, and ordered to be engrossed and read a third time.

Mr. WICKHAM, from the committee on finance and banks, reported with a recommendation that that committee be discharged from the further consideration of the following bills, and that they be referred to the special joint committee on criminal expenses:

No. 116, Senate bill entitled an act to repeal section 3528 of the Code of Virginia, in relation to fees of attorneys for the Commonwealth.

No. 117, Senate bill entitled an act to repeal section 3526 of the Code of Virginia, in relation to attorneys for the Commonwealth.

No. 119, Senate bill entitled an act to fix the compensation of sheriffs for services rendered by them to the Commonwealth.

No. 120, Senate bill entitled an act to repeal section 3525 of the Code of Virginia.

No. 121, Senate bill entitled an act to amend and re-enact section

3531 of the Code of Virginia in relation to fees of sheriffs, sergeants, constables, criers, and coroners.

The bills were taken up, and the recommendation of the committee agreed to.

Mr. SANDS, from the committee on general laws, reported without amendment.

✓ No. 31, House bill entitled an act to incorporate the Young Men's Christian Association of Hampton, Virginia.

The bill was subsequently taken up, read the third time, and passed with its title.

On motion of Mr. SNEAD, the committee for courts of justice was discharged from the further consideration of

✓ No. 65, Senate bill to prescribe the times for holding the circuit courts for the first judicial circuit.

The bill was then taken up, read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, was, upon his further motion (two-thirds concurring), read the third time, and passed with its title.

✓ A message was received from the House of Delegates by Mr. McRAE, who informed the Senate that that House had agreed to the following joint resolution:

Be it resolved by the House of Delegates of Virginia (the Senate concurring), That the General Assembly of Virginia, in session assembled, do most heartily endorse and applaud the noble and patriotic sentiments announced and expressed in the recent message to Congress of the President of the United States, but at the same time believing that a war between England and America would be the greatest calamity that could befall the civilized and christian world, we express the earnest hope that all differences between the two great representatives of the Anglo-Saxon race may be amicably adjusted.

That a copy of this resolution be sent to the President and to each Virginia senator and representative in Congress.

Mr. LOWRY moved to lay the resolution on the table, and the question being put, was determined in the negative—ayes, 5; noes, 24.

On motion of Mr. WICKHAM, the vote was recorded as follows:

AYES—Messrs. Hale, G. W. Jackson, Lowry, Parr, and Williams—5.

NOES—Messrs. Barnes, Brown, Claytor, Clement, Fairfax, Flanagan, Green, Hay, E. H. Jackson, Jones, Jordan, Kane, LeCato, Little, Lovenstein, Mason, Morris, Mushbach, Sands, Snead, Southall, Stubbs, Tredway, and Wickham—24.

✓ Mr. WICKHAM proposed to amend the resolution as follows:

After the word "adjusted" insert, "That this General Assembly, in unison with all patriotic citizens, expresses hereby the wish that the statute providing that no person who held a commission in the army and navy of the United States at the beginning of the

late war between the States, and who afterwards served in any capacity in the military, naval or civil service of the Confederate States, shall be appointed to any position in the army or navy of the United States, should be repealed."

On motion of Mr. MUSHBACH, the previous question was ordered—ayes, 15; noes, 14.

On his further motion, the vote was recorded as follows:

AYES—Messrs. Claytor, Flanagan, Flood, Hale, Hay, E. H. Jackson, G. W. Jackson, Jordan, LeCato, Mason, Mushbach, Parr, Snead, Southall and Williams—15.

NOES—Messrs. Barnes, Brown, Clement, Fairfax, Green, Jones, Kane, Little, Lovenstein, Lowry, Morris, Sands, Stubbs and Tredway—14.

The question recurring on the amendment proposed by Mr. WICKHAM, it was agreed to—ayes, 28; noes, 3.

On motion of Mr. WICKHAM, the vote was recorded as follows:

AYES—Messrs. Barnes, Brown, Claytor, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, Jones, Jordan, Kane, LeCato, Little, Lovenstein, Mason, McCune, Mushbach, Parr, Sands, Snead, Southall, Stubbs, Tredway, Wickham, and Williams—28.

NOES—Messrs. Clement, G. W. Jackson, and Lowry—3.

✓ The joint resolution as amended was then read as follows:

Be it resolved, by the House of Delegates of Virginia (the Senate concurring), That the General Assembly of Virginia, in session assembled, do most heartily endorse and applaud the noble and patriotic sentiments announced and expressed in the recent message to Congress of the President of the United States, but at the same time believing that a war between England and America would be the greatest calamity that could befall the civilized and Christian world, we express the earnest hope that all differences between the two great representatives of the Anglo-Saxon race may be amicably adjusted. That this General Assembly, in unison with all patriotic citizens, expresses hereby the wish that the statute providing that no person who held a commission in the army or navy of the United States at the beginning of the late war between the States, and who afterwards served in any capacity in the military, naval, or civil service of the Confederate States shall be appointed to any position in the army or navy of the United States, shall be repealed.

That a copy of this resolution be sent to the President and to each Virginia senator and representative in Congress.

The question being put upon its adoption was determined in the affirmative—ayes, 27; noes, 4.

On motion of Mr. STUBBS, the vote was recorded as follows:

AYES—Messrs. Barnes, Brown, Claytor, Clement, Echols, Fairfax, Flanagan, Flood Green, Hay, E. H. Jackson, Jones, Jordan, Kane, LeCato, Little, Lovenstein, Mason, M'Cun +, Mushbach, Sands, Sneed, Southall, Stubbs, Tredway, Wickham, and Williams—27.

NOES—Hale, G. W. Jackson, Lowry, and Parr—4.

On motion of Mr. WICKHAM, ordered that he inform the House of Delegates thereof, and request their concurrence in the resolution as amended.

On motion of Mr. LOVENSTEIN, the Senate adjourned until tomorrow 12 o'clock.

FRIDAY, DECEMBER 20, 1895.

Mr. LOVENSTEIN, President *pro tempore*, in the chair.

Prayer by Rev. W. G. Starr, D. D.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk, was read as follows:

In House of Delegates, December 19, 1895.

✓ The House of Delegates has passed Senate bills entitled an act to incorporate Alberene Railroad Company, No. 7; an act for the relief of Jas. H. Todd, of Augusta county, authorizing the auditor of public accounts to issue a duplicate warrant, the original having been lost, for allowance as assessor of lands in North River district, Augusta county, No. 28; an act to extend the time for commencing and completing the construction of the railroad authorized under the act of the General Assembly, approved March 3, 1894, incorporating the River Front Railroad Company, No. 55; an act allowing H. R. Stowers, late treasurer of Bland county, further time for collecting uncollected taxes in Bland county, No. 58; an act to amend and reenact an act authorizing the board of supervisors of Pittsylvania county to issue bonds of said county for the purpose of raising money to pay off bonds of said county, approved February 7, 1894, No. 127; an act making an appropriation for completion of repairs at Capitol, No. 147; and an act to incorporate Basic City, Bridgewater and Piedmont Electric Railway Company, No. 81.

✓ They have agreed to Senate concurrent resolution respecting the claim of the United States against Virginia for registered bonds.

✓ They have agreed to the amendment of the Senate to House concurrent resolution in reference to message of the President of the United States regarding the boundary line dispute between Venezuela and Great Britain, with an amendment.

They have passed House bills entitled an act to amend and reenact an act approved February 29, 1892, entitled an act to amend

and re enact clause 4 of section 6 of an act approved February 24, 1874, entitled an act to give effect to the compromise of the litigation in respect to the construction and effect of the will of Samuel Miller, deceased, and to establish the Manual Labor School provided for in the twenty-fifth clause of said will, as amended by acts approved on 2d April, 1887, and on 19th February, 1884, respectively, No. 35; an act to incorporate the Society of Colonial Wars in the State of Virginia, No. 37; an act to amend and re-enact an act approved March 8, 1894, entitled an act for the protection of hotels and boarding-houses, No. 38; an act to allow the town of Clifton Forge further time to collect town levies for the years 1892, 1893, and 1894, No. 41; an act to allow the Piedmont Construction and Improvement Company to change its name to the Piedmont Traction Company, and to permit the said company to issue preferred stock, to hold stock in other companies, to dispose of its property, and to consolidate or merge with any other company, No. 42; an act to amend and re-enact an act approved January 14, 1892, entitled an act to incorporate the Empire Transportation Company, No. 43; an act to incorporate the Powhatan Troop Association, No. 44; and an act to amend and re-enact section 2 of an act entitled an act to improve the main thoroughfares of Rappahannock county, approved February 22, 1894, No. 46.

In which amendment and bills they request the concurrence of the Senate.

The following amendment proposed by the House of Delegates to the Senate amendment to the concurrent resolution respecting the message of the President of the United States on the Venezuelan matter, which reads as follows:

"And this General Assembly most heartily approve the course of Senator D. B. Hill in introducing a bill to repeal said statute," was taken up and agreed to—ayes, 19; noes, 11.

On motion of Mr. LITTLE, the vote was recorded as follows:

AYES—Messrs. Barnes, Brown, Claytor, Clement, Echols, Flanagan, Flood, Hale, Hay, Jordan, Kane, LeCato, Mason, Morris, Mushbach, Parr, Snead, Wickham, and Williams—19.

NOES—Messrs. Fairfax, E. H. Jackson, Jones, Keezell, Little, Lovenstein, Lowry, Sands, Stubbs, Tredway, and Turnbull—11.

On motion of Mr. WICKHAM,

Ordered, That he inform the House of Delegates thereof.

Mr. McILWAINE stated that had he been present on yesterday he would have voted against the joint resolution.

No. 35, House bill entitled an act to amend and re-enact an act approved February 29, 1892, entitled an act to amend and re-enact clause 4 of section 6 of an act approved February 24, 1874, entitled an act to give effect to a compromise of the litigation in respect to the construction and effect of the will of Samuel Miller, deceased,

✓ and to establish the Manual Labor School provided for in the twenty-fifth clause of said will, as amended by acts approved on 2d April, 1887, and on 19th February, 1884, respectively, was taken up, twice read, and on motion of Mr. MORRIS (the rules being suspended therefor), was placed on the calendar.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

✓ No. 37, House bill entitled an act to incorporate the Society of Colonial Wars, in the State of Virginia, was taken up, twice read, and referred to the committee on general laws.

✓ No. 38, House bill entitled an act to amend and re-enact an act approved March 8, 1894, entitled an act for the protection of hotels and boarding houses, was taken up, twice read, and referred to the committee on general laws.

✓ No. 41, House bill entitled an act to allow the town of Clifton Forge further time to collect town levies for the years 1892, 1893, and 1894, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 42, House bill entitled an act to allow the Piedmont Construction and Improvement Company to change its name to the Piedmont Traction Company, and to permit the said company to issue preferred stock, to hold stock in other companies, to dispose of its property, and to consolidate or merge with any other company, was taken up, twice read, and on motion of Mr. MORRIS (the rules being suspended therefor), was placed on the calendar.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

✓ No. 43, House bill entitled an act to amend and re-enact an act approved January 14, 1892, entitled an act to incorporate the Empire Transportation Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 44, House bill entitled an act to incorporate the Powhatan Troop Association, was taken up, twice read, and referred to the committee on general laws.

✓ No. 46, House bill entitled an act to amend and re-enact section 2 of an act entitled an act to improve the main thoroughfares of Rapahannock county, approved February 22, 1894, was taken up, twice read, and on motion of Mr. HAY (the rules being suspended therefor), was placed on the calendar.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

✓ Mr. JONES, from the committee for courts of justice, reported that that committee, to which was referred the message of the Governor, in relation to the "Lunenburg affair," deemed it inexpedient to legislate on the subject.

The question being put upon agreeing to the report of the committee, it was determined in the affirmative—ayes, 22; noes, 4.

On motion of Mr. FLANAGAN, the vote was recorded as follows :

AYES—Messrs. Barnes, Brown, Claytor, Clement, Echols, Fairfax, Flood, Hale, Hay, E. H. Jackson, Jones, Kane, Keezell, Little, Lowry, McIlwaine, Morris, Parr, Sands, Snead, Tredway, and Turnbull—22.

NOES—Messrs. Flanagan, Lovenstein, Mushbach, and Wickham—4.

Mr. FLANAGAN, by leave, presented

- ✓ No. 156, Senate bill to amend and re-enact the preamble and first section of an act entitled an act authorizing the counties of Cumberland and Powhatan to change the form of the bonds subscribed to the Farmville and Powhatan Railroad Company, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. FLANAGAN, by leave, presented

- ✓ No. 157, Senate bill to repeal an act entitled an act to authorize the county of Powhatan to change the form of bonds subscribed to the Farmville and Powhatan Railroad Company, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. JONES, by leave, presented

- ✓ No. 158, Senate bill to amend and re-enact sections 2726 and 2728 of the Code of Virginia, in relation to the action of ejectment, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. KEEZELL, by leave, presented

- ✓ No. 159, Senate bill making it unlawful for insurance companies not incorporated by the laws of the State of Virginia, but legally admitted to do business therein, to place or cause to be placed insurance on property in this State, in offices outside of the State, in violation of the tax laws of the State of Virginia, and prescribing penalties for violation of the same; and prescribing the duties and compensation of the auditor of public accounts in relation thereto; and providing for renewal of license privileges of companies doing business in this State, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. STUBBS, by leave, presented

- ✓ No. 160, Senate bill to permit Dr. W. M. Chatham to practice dentistry in Virginia, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BARNES, by leave, presented

- ✓ No. 161, Senate bill to provide for the payment out of the treasury for losses sustained by destruction of property and expenses incurred to prevent the spread of small-pox from an epidemic of that disease, prevalent in the Indian Reservation of Indians, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BARNES (by request), by leave, presented

✓ No. 162, Senate bill for the relief of John M. Dawson, late treasurer of James City county, and the city of Williamsburg, and his sureties, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. FLANAGAN made an ineffectual effort to have the committee on county, city and town organizations discharged from the further consideration of

✓ No. 111, Senate bill to authorize the county of Powhatan to borrow money.

On motion of Mr. TREDWAY,

Ordered, That all House bills heretofore passed, together with those passed to-day, be communicated forthwith by the clerk.

✓ No. 109, Senate bill to allow M. S. Cahoon, treasurer of Botetourt county, further time to make settlement and return delinquents and collect tax tickets, was taken up, read the third time, and passed with its title.

Mr. HAY moved that the Senate adjourn; and the question being put, was determined in the negative—ayes, 12; noes, 12.

On motion of Mr. McILWAINE, the vote was recorded as follows:

AYES—Messrs. Barnes, Brown, Claytor, Clement, Hale, Jones, Keezell, Lowry, Parr, Snead, Tredway, and Turnbull—12.

NOES—Messrs. Echols, Fairfax, Flanagan, Hay, Little, Lovenstein, Mason, McIlwaine, Morris, Sands, Stubbs, and Wickham—12.

Mr. ECHOLS made an ineffectual motion to have the chair vacated until 3.30 P. M.

✓ Mr. McILWAINE offered the following joint resolution, and asked a suspension of the rules for the immediate consideration:

Whereas, the resolution which originated in the House of Delegates, relating to the President's message in the Venezuelan matter, was hastily and unadvisedly concurred in by the Senate; and

Whereas, it is eminently proper that the action, if any, which may be taken in this matter be in keeping with the dignity of the Commonwealth of Virginia; therefore be it

Resolved by the Senate (the House of Delegates concurring), that the said resolution be rescinded.

The question being put upon the suspension of the rules, was determined in the affirmative—ayes, 17; noes, 8.

On motion of Mr. ECHOLS, the vote was recorded as follows:

AYES—Messrs. Barnes, Brown, Clement, Fairfax, Flanagan, Hale, Hay, Jones, Keezell, Little, Lovenstein, Lowry, McIlwaine, Morris, Parr, Stubbs, and Turnbull—17.

NOES—Messrs. Echols, Flood, E. H. Jackson, Kane, Mason, Mushbach, Sands, and Wickham—8.

Mr. HAY moved that the resolution be laid on the table, and the

question being put, was determined in the negative—ayes, 12; noes, 14.

On motion of Mr. MUSHBACH, the vote was recorded as follows :

AYES—Messrs. Claytor, Echols, Flood, Hay, E. H. Jackson, Kane, Lovenstein, Mason, Mushbach, Sands, Snead, and Wickham—12.

NOES—Messrs. Barnes, Brown, Clement, Fairfax, Flanagan, Hale, Keezell, Little, Lowry, McIlwaine, Morris, Parr, Stubbs, and Turnbull—14.

✓ A message was received from the House of Delegates by Mr. BLAND, who informed the Senate that that house had passed No. 56, House bill entitled an act to incorporate The Elizabeth Night Ferry.

✓ Mr. FLOOD rose to a question of personal privilege regarding an editorial in *Yost's Weekly*, of December 19th, 1895, which made reference to a memorial which it supposed will be filed before the Senate by R. T. Hubbard, contesting his (Mr. FLOOD's) right to a seat in that body.

Mr. WICKHAM moved to adjourn, and the question being put, was determined in the negative—ayes, 12; noes, 13.

On motion of Mr. ECHOLS, the vote was recorded as follows :

AYES—Messrs. Barnes, Claytor, Echols, Flood, E. H. Jackson, Kane, Lovenstein, Mason, Mushbach, Sands, Snead, and Wickham—12.

NOES—Messrs. Brown, Clement, Fairfax, Flanagan, Hale, Keezell, Little, Lowry, McIlwaine, Morris, Parr, Stubbs, and Turnbull—13.

✓ On motion of Mr. MCILWAINE, the pending question was ordered.

The question then recurring upon the adoption of the joint resolution, and being put, was determined in the negative—ayes, 12; noes, 14.

On motion of Mr. MUSHBACH, the vote was recorded as follows :

AYES—Messrs. Brown, Clement, Fairfax, Hale, Keezell, Little, Lowry, McIlwaine, Morris, Parr, Stubbs, and Turnbull—12.

NOES—Messrs. Barnes, Claytor, Echols, Flanagan, Flood, Hay, E. H. Jackson, Kane, Lovenstein, Mason, Mushbach, Sands, Snead, and Wickham—14.

On motion of Mr. WICKHAM, the Senate adjourned until Monday, January 6th, 1896, at 12 o'clock.

MONDAY, JANUARY 6, 1896.

Mr. LOVENSTEIN, President *pro tem.*, in the chair.

Journal of December 20, 1895, read by the clerk.

A communication from the House of Delegates by their clerk, was read as follows:

In House of Delegates, December 20, 1895.

✓ The House of Delegates has passed Senate bills entitled an act to amend and re-enact section 3705 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 3705 of the Code of Virginia, entering dwelling-house or other house, vessel or car, in the night, &c., with intent to commit murder, rape, or robbery, &c., No. 53; an act to amend and re-enact section 1135 of the Code of Virginia, relating to the issuance of new certificates of stock of chartered company when former one is lost, No. 107; an act to incorporate the Bristol Terminal Company, No. 114; and an act to amend and re-enact an act entitled an act to incorporate the Bristol and Northern Railroad Company, No. 123.

✓ They have agreed to Senate amendments to House bill entitled an act to amend and re-enact the charter of Bethel Cemetery Company, granted February 15th, 1885, No. 28.

✓ They have passed House bills entitled an act to authorize the payment of the sum of \$100 to George W. Moore for services in full as guard at the Lee Monument, No. 49; an act to amend and re-enact section 100 of chapter 244 of the Acts of 1889-'90, entitled an act to provide for the assessment of taxes on persons and property, &c., No. 50; an act to amend and re-enact section 18 of an act entitled an act to incorporate the Lynchburg Traction Company, extending the time within which the work of construction shall be begun and completed, No. 52; an act to amend and re-enact an act approved January 31, 1894, entitled an act to incorporate the Potomac and Great Falls Railroad Company, extending the time in which to begin and complete the same, No. 53; an act to prevent the extermination of game in the counties of Fauquier and Loudoun, No. 54; an act to amend and re-enact section 4 of the charter of the Norfolk and Atlantic Terminal Company, No. 57; an act to incorporate the Frederick Electric Railway Company, No. 58; an act to amend and re-enact sections 1, 3, 9 and 10 of an act to incorporate the Buckroe, Phoebus and Hampton Railroad Company, No. 59; an act to amend and re-enact sections 10 and 11 of an act to incorporate the Virginia Seaboard and Western Railroad Company, No. 60; an act extending the time of commencing the construction of the Potomac Western Railroad Company, No. 61; an act providing for levying on seed cotton in the field in Brunswick county, No. 62; and an act to incorporate the Potomac River Power Company, No. 67.

✓ In which bills they request the concurrence of the Senate.

- ✓ No. 49, House bill entitled an act to authorize the payment of the sum of \$100 to George W. Moore, for services in full as guard at the Lee Monument, was taken up, twice read and referred to the committee on finance and banks.
- ✓ No. 50, House bill entitled an act to amend and re-enact section 100, chapter 244 of the Acts of Assembly, session of 1889-'90, approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons and property, etc., was taken up, twice read and referred to the committee on finance and banks.
- ✓ No. 52, House bill entitled an act to amend and re-enact section 18 of an act entitled an act to incorporate the Lynchburg Traction Company, approved February 12th, 1894, extending the time within which the work of construction shall be begun and completed, was taken up, twice read and on motion of Mr. BROWN (the rules being suspended therefor), placed on the calendar; the bill was subsequently taken up, and on motion of Mr. CLEMENTS (two-thirds concurring), was read the third time and passed with its title.
- ✓ No. 53, House bill entitled an act to amend and re-enact an act approved January 31st, 1894, entitled an act to amend and re-enact sections 1, 2, 5 and 8 of an act entitled an act to incorporate the Potomac and Great Falls Railroad Company, approved January 26, 1892, was taken up, twice read, and on motion of Mr. MUSHBACH (the rules being suspended therefor) placed on the calendar.
- ✓ No. 54, House bill entitled an act to prevent the extermination of game in the counties of Fauquier and Loudoun was taken up, twice read, and referred to the committee on fish and game.
- ✓ No. 57, House bill entitled an act to amend and re-enact section 4 of the charter of the Norfolk and Atlantic Terminal Company was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 58, House bill entitled an act to incorporate the Frederick Electric Railway Company was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 59, House bill entitled an act to amend and re-enact sections 1, 3, 9 and 10 of an act of the General Assembly of Virginia entitled an act to incorporate the Buckroe, Phoebus and Hampton Railroad Company was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 60, House bill entitled an act to amend and re-enact sections 10 and 11 of an act entitled an act to incorporate the Virginia Seaboard and Western Railroad Company, approved February 10th, 1894, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 61, House bill entitled an act extending the time of commencing the construction of the Potomac Western Railroad Company was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 62, House bill entitled an act providing for levying on seed

✓ cotton in the field in Brunswick county was taken up, twice read, and on motion of Mr. TURNBULL (the rules being suspended therefor) placed on the calendar; the bill was subsequently taken up, and on his further motion (two-thirds concurring) was read the third time and passed with its title.

✓ No. 67, House bill entitled an act to incorporate the Potomac River Power Company was taken up, twice read, and referred to the committee on general laws.

✓ No. 56, House bill entitled an act to incorporate the Elizabeth Night Ferry Company was taken up, twice read, and referred to the committee on roads and internal navigation.

Mr. MUSHBACH, by leave, presented

✓ No. 163, Senate bill to amend and re-enact section 1145 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 1145 of the Code of Virginia as to how certain charters of incorporation granted, altered, or amended by circuit or corporation courts, and where to be recorded; validating all charters to build and operate railroads heretofore granted by a circuit or corporation court, but forbidding said courts to grant such charters in the future, approved February 20, 1892; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH (by request), by leave, presented

✓ No. 164, Senate bill to legalize and validate the organization and corporate existence of The Washington, Arlington and Falls Church Railway Company, declaring the same to be a body politic and corporate, and the successor to the Washington and Arlington Railway Company of the District of Columbia, in the State of Virginia, and to be entitled to and the possessor of all the rights, privileges, easements, franchises, property, and estate of that company in the State of Virginia, and to validate and confirm the capital stock created in the said The Washington, Arlington and Falls Church Railway Company, and the mortgage debt created under and made by it; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MUSHBACH, by leave, presented

✓ No. 165, Senate bill to grant certain powers to the Washington, Arlington and Falls Church Railway Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. TREDWAY, by leave, presented

✓ No. 166, Senate bill in relation to reports of commissioners in chancery in pending causes; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MAYNARD, by leave, presented

✓ No. 167, Senate bill to incorporate the Portsmouth and Pinners Point Drawbridge Company; which, on his motion, was read the

first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MAYNARD, by leave, presented

- ✓ No. 168, Senate bill to incorporate the Portsmouth, Gilmerton and Smithfield Railway and Traction Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. WICKHAM, by leave, presented

- ✓ No. 169, Senate bill to amend the charter of the Newport News Ship-building and Dry Dock Company, by amending and re-enacting section 2 of chapter 51 of Acts of Assembly 1885-'86, entitled an act to incorporate the Chesapeake Dry Dock and Construction Company, as amended and re-enacted by chapter 22, Acts of Assembly 1891-'92, entitled an act to amend the charter of the Newport News Ship-building and Dry Dock Company, by amending and re-enacting section 2 of chapter 51 of Acts of Assembly 1885-'86, entitled an act to incorporate the Chesapeake Dry Dock and Construction Company in section 4 of chapter 51 of Acts of Assembly 1885-'86, entitled an act to incorporate the Chesapeake Dry Dock and Construction Company, as amended and re-enacted by chapter 235, Acts of Assembly 1889-'90, entitled an act to change the name of the Chesapeake Dry Dock and Construction Company to Newport News Ship-building and Dry Dock Company, and to amend and re-enact sections 1, 4, 6, 7, and 8 of chapter 51 of Acts of Assembly 1885-'86, entitled an act to incorporate the Chesapeake Dry Dock and Construction Company, approved December, 22, 1891, so as to authorize said Newport News Ship-building and Dry Dock Company to increase its capital stock, provided said capital stock shall not exceed in the aggregate six millions of dollars, was taken up, twice read, and on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.

Mr. HAY, by leave, presented

- ✓ No. 170, Senate bill to provide for the method of voting by ballot; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee of privileges and elections.

Mr. HAY, by leave, presented

- ✓ No. 171, Senate bill for the relief of George W. Bledsoe, of Madison county, Va.; which, on his motion, was read a first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. HAY, by leave, presented

- ✓ No. 172, Senate bill to create the office of Examiner of State Banks, and to define the duties and powers of said office; which, on his motion, was read a first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. SANDS, by leave, presented

- ✓ No. 173, Senate bill to amend and re-enact section 3515 of Code

- ✓ of Virginia, in relation to fees of officers; which, on his motion, was read a first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. SANDS, by leave, presented

- ✓ No. 174, Senate bill to amend and re-enact section 3529 of the Code of Virginia, in relation to fees of officers; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WITHERS, by leave, presented

- ✓ No. 175, Senate bill to authorize a vote in the city of Danville and town of Neapolis upon the question of annexing and uniting said city and said town in one city; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. WITHERS, by leave, presented

- ✓ No. 176, Senate bill to amend and re-enact section 3428 of the Code of Virginia, in relation to power of judge in vacation to enforce obedience to decrees and orders; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WITHERS, by leave, presented

- ✓ No. 177, Senate bill to amend and re-enact section 3427 of the Code of Virginia, in relation to how a chancery cause submitted for decision in vacation; how the decree certified and entered; its effect; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WITHERS, by leave, presented

- ✓ No. 178, Senate bill to amend and re-enact section 3426 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 3426 of the Code of Virginia, in relation to interlocutory decrees and orders approved February 12, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. GREEN, by leave, presented

- ✓ No. 179, Senate bill to amend and re-enact an act approved March 3rd, 1892, entitled an act to amend and re-enact section 2 of an act passed by the General Assembly of Virginia entitled an act to incorporate the Bland County Land, Improvement, Development and Transportation Company, approved February 22nd, 1890, and to amend and re-enact section 4 of said act approved February 22d, 1890, entitled an act to incorporate the Bland County Land, Improvement, Development and Transportation Company, to amend and re-enact and change the title of said last-named act, and to enlarge the powers of said company, so that it may have and exercise all the rights, powers and privileges of a railway company, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. GREEN, by leave, presented

✓ No. 180, Senate bill to incorporate the Wythe County Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. GREEN, by leave, presented

✓ No. 181, Senate bill to incorporate the Virginian Securities Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH offered the following resolution:

✓ Resolved, That so much of the message of the governor of Virginia, which was presented to the Legislature on December 4, 1895, as relates to gambling on horse races, the charter of the Orange Camp Association of Norfolk, Va., and lawlessness in Alexandria county, be referred to the committee for courts of justice of this body, with instructions to report by bill or otherwise, which, on his motion (the rules being suspended therefor), was taken up and agreed to.

✓ The following message was received from the governor by his private secretary, which was read, and, on motion of Mr. SANDS, was laid on the table and ordered to be printed:

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE, RICHMOND, VA., *January 1, 1896.*

To the General Assembly:

✓ As required by the Constitution of Virginia, I transmit herewith a list of pardons, commutations, respites, &c., granted by me during the two years beginning January 1, 1894, and ending January 1, 1896.

CHARLES T. O'FERRALL,
Governor.

ABSOLUTE PARDONS.

J. N. Ashworth. Convicted in the Lunenburg county court, March, 1894, of malicious cutting, and sentenced to one year and six months in the penitentiary. Pardoned November 23rd, 1894. Pardon is earnestly recommended by the trial judge, commonwealth's attorney, the jury, and a large number of reputable citizens. The assault is believed to have been attributable more to the passion of the moment than to any actual malice. Ashworth was a man of good standing in his neighborhood and has conducted himself well in prison.

Calvin Anderson (colored). Convicted in the Henrico county court, January, 1895, of assault, and sentenced to six months in jail. Pardoned May 23rd, 1895. The judge, commonwealth's attorney, several magistrates, and many good citizens recommend the pardon of this man. He has served out nearly his entire term, and his family is suffering from poverty.

Joseph Alsop (colored). Convicted in the Spotsylvania county court, November, 1895, of unlawful assault, and sentenced to ninety days in jail. Pardoned November 11th, 1895. Since his conviction the house of the prisoner was burned and two of his children lost their lives. His wife is ill and unable to minister to the wants of his family. Pardon is granted on the ground of humanity. Clemency is recommended by the judge, commonwealth's attorney, sheriff and clerk of courts.

Joe Brown (colored). Convicted in the corporation court of Lynchburg, June, 1889, of murder in the second degree, and sentenced to sixteen years in the penitentiary. Granted February 14th, 1894. The prisoner has consumption which is rapidly progressing, and in view of his physical condition, clemency is recommended by the superintendent and surgeon of the penitentiary.

William Burroughs (colored). Convicted in the Bedford county court, May, 1892, of malicious cutting, and sentenced to six years in the penitentiary. Pardon granted March 1st, 1894. The punishment in this case was excessive. Clemency is recommended by the judge and commonwealth's attorney.

George B. Bradshaw (colored). Convicted in the corporation court of Fredericksburg, May, 1892, of horse-stealing, and sentenced to three years in the penitentiary. Pardon granted March 15th, 1894. Dr. Harrison, surgeon of the penitentiary, recommends clemency on account of the convict's ill-health. He is suffering from partial paralysis.

Charles Bogan. Convicted in the hustings court of Richmond, in 1893, of grand larceny, and sentenced to one year in the penitentiary. Granted April 18th, 1894. There is strong doubt as to the guilt of this man. The evidence against him was very weak. His character, previous to the offence, was most excellent.

Turner Breeding. Convicted in the Pulaski county court, April, 1893, of house-breaking, and sentenced to three years imprisonment in the penitentiary. (Five years were added for second conviction). Granted April 28th, 1894. The prisoner, who has served nearly all of his term, has conducted himself well since his incarceration and appears to be truly reformed. His *particeps criminis* was acquitted on the same indictment. Pardon recommended by superintendent of penitentiary.

George Belcher. Convicted in the Wise county court, August, 1891, of house-breaking, and sentenced to five years in the penitentiary. Granted June 30th, 1894. The prisoner is in the last stages of consumption. According to the statement of Dr. Harrison, surgeon of the penitentiary, his end is near.

Joshua Brown (colored). Convicted in the Pulaski county court, May, 1894, of malicious shooting, and sentenced to one year in the penitentiary. Granted November 21st, 1894. The prisoner, whose conduct has been good, has been a great sufferer from a troublesome disease which unfits him for work. His pardon is recommended by the superintendent and by the commonwealth's attorney. There appears to have been some justification for the crime.

James P. Brent. Convicted in the hustings court of Staunton, October, 1893, of obtaining goods on a forged check, and sentenced to two years in the penitentiary. Granted December 20th, 1894. The prisoner has for years been a confirmed epileptic, and in the opinion of many physicians was irresponsible when he committed the offence. Clemency is recommended by the superintendent of the Western state hospital, commonwealth's attorney, and a large number of citizens of Augusta and Nelson counties.

Luke Ballentine (colored). Convicted in the corporation court of Norfolk, February, 1891, of malicious assault, and sentenced to three years in the penitentiary. (Five years added for second conviction). Granted December 27th, 1894. This man rescued an employee of Larus & Bro., whose plant is at the penitentiary, from an infuriated convict. Clemency is extended as a reward for this act.

Mary Barnes. Convicted in the police justice's court of Norfolk, October 25th, 1895, of petit larceny, and sentenced to ninety days in jail. Pardoned November 7th, 1895. The prisoner is about to give birth to a child. Clemency is recommended by the judge, police justice, and sergeant of Norfolk city.

William Cubine. Convicted in the Bland county court, 1892, of grand larceny, and sentenced to three years in the penitentiary. Granted February 9th, 1894. Since his sentence this man has become insane, and he is a source of great trouble to the prison officials. Clemency is recommended by the superintendent and surgeon of the penitentiary. Immediately upon his release he will be taken to an asylum.

L. C. Combs. Convicted in the Carroll county court, August, 1892, of house-breaking, and sentenced to two years in the penitentiary. Granted February 20th, 1894. This man is in rapidly failing health. His conduct in prison has been most exemplary, and pardon is recommended by the jurors, clerk of the court, other prominent citizens, and by the superintendent of the penitentiary.

James R. Conway. Convicted in the hustings court of Richmond, January, 1894, of misdemeanor, and sentenced to six months in jail. Granted March 2nd, 1894. The prisoner is quite a young man and has hitherto borne a good reputation. His pardon is recommended by the judge, a number of the jurors, the mayor of Richmond, and many prominent citizens. He was drunk when the offence occurred and did not seek the difficulty.

Alice Coleman. Convicted in the Rockbridge county court, January, 1894, of

housebreaking, fined five dollars and sentenced to three months in jail. Pardon granted March 22nd, 1894. The prisoner will shortly give birth to a child, and it is deemed imprudent to keep her in jail. She has served nearly all of her term.

David Cannady (colored). Convicted in the Franklin county court, October, 1891, of attempted rape, and sentenced to nine years in the penitentiary. Granted April 11th, 1894. This prisoner was convicted of raping a negro girl. The evidence was very weak. He has served two and a half years of his sentence. The judge, commonwealth's attorney, clerk, sheriff, and others recommend his pardon. His conduct in prison has been good.

Della Clark. Convicted in the hustings court of Richmond, December, 1894, of petit larceny, and sentenced to confinement in jail. Granted April 13th, 1895. The prisoner is *enferme*, and it is deemed that imprisonment will be injurious to her. Her conduct has been good.

Cornelius Collins (colored). Convicted in the hustings court of Portsmouth, February, 1884, of murder in the second degree, and sentenced to fifteen years in the penitentiary. Granted April 18th, 1894. This prisoner, when about twenty years of age, while drunk in a Christmas frolic began playing with a pistol in the possession of another, and in the scuffle the weapon was discharged and a third person of the party was killed. Grave doubts were entertained at the time as to the correctness of the verdict, and now his pardon is asked for by the judge, commonwealth's attorney, city attorney, clerk of the court, eight of the jurors, and many citizens. He has served ten years. His conduct has been good.

C. C. Collins. Convicted in the Wythe county court, October, 1893, of perjury, and sentenced to two years in the penitentiary. Granted April 18th, 1894. This man appears weak-minded and does not seem to have realized the solemnity of an oath or the gravity of swearing falsely. Clemency is recommended by many prominent citizens.

Burton Coleman (colored). Convicted in the Louisa county court, April, 1887, of rape, and sentenced to ten years in the penitentiary. Granted April 24th, 1894. This prisoner was convicted of raping a negro girl. There have always been doubts as to his guilt. The woman alleged to have been outraged asks for his pardon. He has served several years of his term. His conduct has been good. Pardon is recommended by the superintendent of the penitentiary.

Peter Cary (colored.) Convicted in the hustings court of Richmond, December, 1890, of housebreaking, and sentenced to five years in the penitentiary. Granted June 7th, 1894. The prisoner is a hopeless invalid, suffering from heart-disease, and his pardon is recommended by the penitentiary surgeon.

John Curry. Convicted in the corporation court of Fredericksburg, June, 1894, of assaulting a policeman, and sentenced to six months in jail. Granted November 1st, 1894. The offense was one of "obstructiveness rather than offensiveness," and the victim of the assault was not seriously hurt. The prisoner, who is a one-legged man, has served more than half of his term. Pardon is recommended by the judge, commonwealth's attorney, and jury.

William Close. Convicted in the corporation court of Norfolk, January, 1895, of larceny, and sentenced to sixty days in jail and required to pay costs. Granted March 8th, 1895. This man is in the last stage of consumption. It is believed that if kept in prison he can live only a few days.

Alfred Crowder (colored). Convicted in the Dinwiddie county court, February, 1891, of attempt to kill, and sentenced to five years in the penitentiary. Granted April 9th, 1895. The prisoner's eyesight is very bad, and further confinement will render him entirely blind. His conduct has been good, and he has served nearly all of his term. Pardon is recommended by reliable citizens.

Simon Carrington (colored). Convicted in the corporation court of Lynchburg, February, 1895, of housebreaking, and sentenced to six months in jail. Granted May 25th, 1895. Clemency is recommended by the judge, commonwealth's attorney, and jail physician. The prisoner is quite young.

Fleming Cary. Convicted in the Fluvanna county court, February, 1895, of unlawful cutting, and sentenced to four months in jail. Granted June 18th, 1895. The punishment of the prisoner is regarded as excessive. His conduct in jail has been excellent. Clemency is recommended by the judge and commonwealth's attorney.

Allen Cook. Convicted in the Buchanan county court, February, 1895, of malicious burning, and sentenced to three years in the penitentiary. Granted July

1st, 1895. The prisoner was convicted upon the testimony of witnesses who have since been shown to be unworthy of credit. The commonwealth's attorney believes the convict is innocent, and the judge recommends his pardon. The prisoner's conduct has been good.

Eddie Cook. Convicted in the corporation court of Fredericksburg, May, 1895; of breaking into a storehouse, and sentenced to six months in jail. Granted July 19th, 1895. Cook is quite young, and previous to the offence bore a good character. Clemency is recommended by the judge and commonwealth's attorney.

Aaron Dodson. Convicted in the Amelia county court, January, 1895, of petit larceny, and sentenced to four months in jail. Granted April 26th, 1895. This man recently disclosed a plot of several prisoners to escape from the jail, and in view of this and his good conduct, clemency is extended to him.

Charles V. Decker. Convicted in the corporation court of Petersburg, October, 1893, of bigamy, and sentenced to eight years in the penitentiary. Granted July 30th, 1895. The prisoner has consumption and is rapidly declining. Pardon is recommended by many prominent citizens.

Cass Ellis (colored). Convicted in the Louisa county court, 1893, of murder in the second degree, and sentenced to seven years in the penitentiary. Granted February 1st, 1894. This man has galloping consumption, and will soon die if kept in confinement. Pardon is recommended by the surgeon of the penitentiary.

Joseph Evans (colored). Convicted in the hustings court of Richmond, October, 1887, of malicious assault, and sentenced to eight years in the penitentiary. Granted December 27th, 1894. This man rescued an employee of Larus & Bro., (whose plant is at the penitentiary) from an infuriated convict. He has only one day more to serve.

Thomas Edwards alias Thomas Jackson. Convicted in the corporation court of Fredericksburg, July, 1888, of murder in the second degree, and sentenced to fourteen years in the penitentiary. Granted March 16th, 1895. There are grave doubts as to the guilt of the prisoner, and in the trial no malice was proved. He has served seven years. Clemency is recommended by the judge, commonwealth's attorney, and six jurors. His conduct in prison has been good.

James A. Edwards. Convicted in the corporation court of Norfolk, April, 1895, of involuntary manslaughter, and sentenced to six months in jail. Granted June 18th, 1895. The blow by which the prisoner killed James Sawyer, was struck under great provocation if not in self-defence. The small stick used by Edwards would not, under ordinary circumstances, have been sufficient to inflict serious injury, and no intention to do so is anywhere manifested. Several hundred good citizens ask clemency.

Charles W. Etheridge. Convicted in the corporation court of Norfolk, November, 1893, of forgery, and sentenced to two years in the penitentiary. Granted July 5th, 1895. The prisoner, whose conduct has been good, has nearly served out his term. His mother is about to die, and under all the circumstances I think justice may be tempered with humanity. His pardon is well recommended.

Albert Firth. Convicted in the York county court, July, 1892, of attempted rape, and sentenced to seven years in the penitentiary. Granted May 15th, 1894. There are grave doubts as to the guilt of the prisoner. The evidence was conflicting, and the conduct of the prosecutrix after the assault was not such as to impress one with the truthfulness of her charge. Many good citizens ask clemency.

Ed. Forrest. Convicted in the Pulaski county court, July, 1892, of housebreaking, and sentenced to two years in the penitentiary. Granted April 9th, 1894. Pardon is granted on account of the youth and good conduct of the prisoner. Clemency is recommended by the judge, commonwealth's attorney, and superintendent of the penitentiary.

W. H. Forbes. Convicted in the Rockbridge county court, April, 1893, of burglary, and sentenced to five years in the penitentiary. Granted December 20th, 1894. The evidence in this case was very conflicting. There were two trials. At the first the jury failed to agree, and at the second the prisoner was convicted. His conduct has been good. He is in bad health and has been a great sufferer. Pardon is recommended by the trial judge and eleven jurors.

Robert Franklin (colored). Convicted in the corporation court of Roanoke, April, 1889, of rape, and sentenced to ten years in the penitentiary. Granted July 7th, 1894. The judge, commonwealth's attorney, and jury ask pardon. The woman who was the victim of the assault was a negress, and even during the trial

there was no pretence of physical injury inflicted. She bore a bad character. Franklin's conduct in prison has been good.

Lee J. Farish. Convicted in the Albemarle county court, April, 1895, of unlawful cutting, and sentenced to twelve months in jail. Granted July 15th, 1895. The pardon of this man is earnestly recommended by the commonwealth's attorney. The prisoner, prior to conviction, had borne a good reputation. His behaviour in prison has been excellent. Clemency is asked by the injured party, and a large number of reputable citizens have signed his petition.

Russell Gilmore. Convicted in the corporation court of Roanoke, January, 1894, of entering a store and taking therefrom certain firearms; sentenced to thirty days in jail. Granted February 16th, 1894. The prisoner is not quite fourteen years of age, and was led off by older boys. Immediately after the crime he returned the property, and aided in the recovery of that in possession of other parties.

W. T. Grant. Convicted in the Carroll county court, January, 1889, of horse-stealing, and sentenced to eight years in the penitentiary. Granted February 20th, 1894. There is doubt as to the prisoner's guilt of the crime charged. Clemency is recommended by the judge, commonwealth's attorney, clerk, and many citizens. His conduct in the penitentiary has been good.

Richard Gooding. Convicted in the Fauquier county court, August 18th, 1889, of rape, and sentenced to twelve years in the penitentiary. Pardoned November 13th, 1894. It appears that this man was the victim of a conspiracy. He has served more than five years. His conduct in prison has been good. Clemency is recommended by the judge, jury, and many citizens.

William Grant. Convicted in the corporation court of Danville, June, 1892, of housebreaking, and sentenced to five years in the penitentiary. Granted June 27th, 1895. The prisoner was only eighteen years of age when convicted. His prison record has been good. The witnesses who testified against him were of doubtful credit. Pardon is recommended by the judge, a large number of jurors, and many citizens of Danville.

C. P. Grizzard. Convicted in the Southampton county court, June, 1894, of murder in the second degree, and sentenced to ten years in the penitentiary. Pardoned November 19th, 1894. The provocation in this case was very great, and in my opinion the act was committed when the prisoner had every reason to fear serious bodily harm. He had borne a good character. In the opinion of a large number of citizens of Southampton, the punishment fixed by the jury was very excessive. They recommend his pardon, and the judge, commonwealth's attorney, sheriff, clerk, and committing justice, do likewise.

D. R. Handy. Convicted in the Patrick county court, June 27th, 1893, of horse-stealing, and sentenced to eight years in the penitentiary. Granted February 14th, 1894. Handy's spinal column is diseased and he is unable to work. Pardon is recommended by the superintendent of the penitentiary.

Walter Harrison. Convicted in the Greensville county court, 1894, of shooting at a citizen, and sentenced to six months in jail. Granted May 8th, 1894. The prisoner has served all but two months of his term. During the recent fire at Emporia, Harrison was released temporarily by the sheriff in order that he might assist in fighting the flames. He rendered valuable assistance, and when his work was over he returned voluntarily to his cell. Many good citizens ask clemency.

Robert Harvey (colored). Convicted in the hustings court of Richmond, December, 1891, of malicious assault, and sentenced to five years in the penitentiary. Granted June 15th, 1894. This man has lost the sight of one of his eyes since his confinement, and the disease threatens the loss of the other. His conduct before the commission of the offence was good, and his prison record is excellent. The superintendent and surgeon of the penitentiary and many prominent citizens of Rockbridge county recommend clemency.

J. T. Hickman. Convicted in the corporation court of Norfolk, March, 1894, of malicious cutting, and sentenced to one year in the penitentiary. Granted September 25th, 1894. The punishment in this case was too severe. The convict was a Confederate soldier, and his behaviour in prison has been good. His family is needy. Clemency is recommended by the commonwealth's attorney.

Richard Harris (colored). Convicted in the corporation court of Norfolk, October, 1893, of malicious assault, and sentenced to two years in the penitentiary.

- Granted December 20th, 1894. This man is hopelessly ill with heart-disease. Pardon is recommended by the physician of the penitentiary.

Jesse J. Hay. Convicted in the hustings court of Richmond, July 23d, 1895, of shooting in the public street, and sentenced to sixty days in jail. Granted August 24th, 1895. This man had borne a good character. He was sentenced for shooting at a man who had grossly insulted his wife. The acting commonwealth's attorney recommends clemency.

Richard T. Isaacs. Convicted in the hustings court of Richmond, January, 1894, of assault, and sentenced to five months in jail. Granted March 17th, 1894. This pardon is asked for by a number of prominent citizens. The prisoner is young, and had always previously to the offence borne a good character. He appears to have violated the law while under the influence of liquor.

Junius Johnson (colored). Convicted in the Isle of Wight county court, January, 1893, of housebreaking, and sentenced to two years in the penitentiary. Granted January 22d, 1894. It appears that the building alleged to have been broken into was a chicken-house; that the only evidence against the prisoner was the possession of some of the chickens stolen; that two other negroes were connected with the housebreaking, and it is believed that they induced Johnson, who is a weak-minded boy, to commit the offence. Clemency is recommended by the judge and commonwealth's attorney. Johnson's conduct in prison has been good.

Thomas Johnson (colored). Convicted in the Essex county court, February, 1892, of housebreaking, and sentenced to two years in the penitentiary. Granted March 16th, 1894. This man has served out the term for which he was convicted and sentenced in Essex county, and is held under sentence imposed by the circuit court of Richmond for second conviction. It appears that the trial court at Essex took notice of the charge in the indictment of the former conviction, and declined to render judgment on so much of the verdict of the jury as related to said charge. This fact was not known by the judge of the circuit court of Richmond at the time he was tried and sentenced for the additional time. Pardon is recommended by the county judge of Essex, the commonwealth's attorney of said county, and the judge of the circuit court of Richmond.

Archie Jones (colored). Convicted in the corporation court of Lynchburg, January, 1894, of grand larceny, and sentenced to one year in the penitentiary. Granted April 23d, 1894. This youth's pardon is recommended by Dr. Harrison, surgeon of the penitentiary. The prisoner is in the last stages of consumption; and his end is near.

John Johnson. Convicted in the Prince George county court, May, 1893, of housebreaking and escaping from jail, and sentenced to twelve months in jail (for housebreaking) and fined five dollars; also sentenced to six months in jail for escaping. Granted May 23d, 1893. The prisoner is only fifteen years of age. He has been confined in jail for more than a year. His health is very bad, and the jail physician certifies that further confinement will probably result fatally.

Charles Johnson (colored). Convicted in the Augusta county court, December, 1892, of murder in the second degree, and sentenced to ten years in the penitentiary. Granted June 7th, 1894. The prisoner was a mere boy when the crime was committed. He was coming home from church one night with a party of women, when James F. Lotts, his victim, and a companion, halted the party and abused them. The aggressors were under the influence of liquor, and had only a few minutes before maltreated an inoffensive negro. A fight ensued, and during the melee Lotts was shot. Johnson was recognized as one of the men who did the shooting. There are many extenuating circumstances in the case, and the convict was certainly subjected to great aggravation. His sentence was very severe, and his pardon is recommended by nearly a hundred good citizens.

Josephine Johnson (colored). Convicted in the Buckingham county court, February, 1893, of forgery, and sentenced to two years in the penitentiary. Granted July 14th, 1894. The pardon of this woman is recommended by the surgeon of the penitentiary. She is rapidly declining with consumption.

Dudley Jenkins. Convicted in the Warren county court, December, 1890, of murder in the second degree, and sentenced to six years and five months in the penitentiary. Granted August 11th, 1894. This man's punishment was very severe. He has served two years of his sentence, and has been a model prisoner. Pardon is asked for by the judge, commonwealth's attorney, and jury.

John Johnson. Convicted in the Henrico county court, April 19th, 1892, of un-

lawful shooting, and sentenced to four years in the penitentiary. Granted December 3d, 1894. The convict is a boy. The provocation under which he fired the shot was great. The punishment inflicted was excessive. His conduct in prison has been good. The judge and commonwealth's attorney recommend pardon.

James Jones. Convicted in the Alleghany county court, June, 1890, of malicious shooting, and sentenced to six years in the penitentiary. Granted January 22d, 1895. The prisoner is in the last stages of consumption. His term will expire in a few months. The commonwealth's attorney and superintendent of the penitentiary recommend pardon.

Charles Kindrick. Convicted in the Warwick county court, April, 1893, of car-breaking, and sentenced to two years in the penitentiary. Granted May 23d, 1894. The evidence in this case appears to have been weak and unreliable. Kindrick's conviction was obtained principally upon the testimony of a self-confessed accomplice. He is young, and his conduct in prison has been good. The judge, commonwealth's attorney, and jury, recommend clemency.

Henry Lee (colored). Convicted in the Stafford county court, 1885, of horse-stealing, and sentenced to eighteen years in the penitentiary. Granted February 1st, 1894. This man has heart-disease and dropsy. There is only the slightest possibility of his improvement.

Herbert A. Minatree. Convicted in the hustings court of Richmond, January 11th, 1894, of assault, and sentenced to three months in jail. Granted February 14th, 1894. The judge and several prominent citizens recommend clemency. The prisoner is only twenty-one years of age. He has hitherto conducted himself well. The difficulty appears to have been the result of a Christmas spree.

Frank Martin. Convicted in the Wise county court, February, 1893, of robbery and sentenced to six years in the penitentiary. Granted March 15th, 1894. The prisoner is suffering from heart-disease. The superintendent and surgeon of the penitentiary recommend clemency. His prison record has been good.

John Miles (colored). Convicted in the Henrico county court, June, 1879, of burglary, and sentenced to twenty-five years in the penitentiary. Granted August 23rd, 1894. The prisoner has served a large part of his sentence. He is seventy-two years of age, in broken health, nearly blind, and unable to do any work. Humanity seems to justify his pardon. Miles was first convicted in 1861, and has since served three terms in the penitentiary.

Belle McGuire. Convicted in the Montgomery county court, 1894, of keeping house of ill-fame, and sentenced to six months in jail. Granted September 4th, 1894. This woman is the mother of several very young children, who, since her conviction, have been sent to the almshouse. As she has served three months of her term, she is represented as penitent. Her pardon is recommended by the judge, commonwealth's attorney and others. Pardon is granted upon condition that she will not again be guilty of the crime for which she was convicted.

A. L. Mays. Convicted in the Campbell county court, February, 1895, of felonious assault, and sentenced to six months in jail and fined \$100. Granted June 7th, 1895. The pardon of this man, who has served about two-thirds of his term, is recommended by the judge and commonwealth's attorney. His friends agreed to pay the fine and have done so. His health is not good.

Jesse Morton. Convicted in the Botetourt county court, October, 1893, of horse-stealing, and sentenced to five years in the penitentiary. Granted August 24th, 1895, on account of his youth. Clemency was recommended by the commonwealth's attorney and many citizens.

D. H. Mitchell. Convicted in the hustings court of Roanoke, December, 1892, of voluntary manslaughter, and sentenced to five years in the penitentiary. Granted July 26th, 1895. This man's punishment appears to have been excessive. The judge, commonwealth's attorney, mayor of Roanoke, and many prominent citizens, recommend clemency.

David Oppenheim. Convicted in the corporation court of Charlottesville, January, 1890, of unlawful shooting, and sentenced to one year in the penitentiary. (Five years added for second conviction.) Granted July 7th, 1894. This man's pardon is recommended by the trial judge and superintendent of the penitentiary. He has been a most exemplary prisoner. He rescued a guard who had been attacked by another convict.

Logan Osborne. Convicted in the Wise county court, October, 1892, of murder in the second degree, and sentenced to eighteen years in the penitentiary.

Granted August 6th, 1894. The prisoner is in declining health. The evidence upon which he was convicted was very weak, and there is doubt as to his guilt.

Malinda Pate (colored). Convicted in the Halifax county court, May, 1882, of murder in the second degree, and sentenced to sixteen years in the penitentiary. Granted September 27th, 1894. This woman was convicted under great excitement, and in the opinion of many people who live in the neighborhood where the homicide occurred, the circumstances were very much exaggerated. The testimony was unreliable, and the verdict of the jury was too severe. She has served twelve years and four months of her term. Her conduct has been good. She is getting old.

William Pace. Convicted in the Lee county court, February, 1893, of grand larceny, and sentenced to four years in the penitentiary. Granted October 13th, 1894. This man is in the last stages of consumption, and cannot live long. Pardon is recommended by the surgeon of the penitentiary.

Peter Payne (colored). Convicted in the Pittsylvania county court, June, 1892, of housebreaking (two indictments), and sentenced to four years in the penitentiary. Granted May 1st, 1895. The prisoner is afflicted with epilepsy, and is liable to die at any time. His pardon is recommended by Major Lynn, superintendent of the penitentiary, and Judge Brown, of Bedford county, where the convict has been engaged in working the public roads.

Tom Rowe (colored). Convicted in the hustings court of Richmond, February, 1886, of burglary, and sentenced to five years in the penitentiary. (Five years added for second conviction.) Granted February 14th, 1894. Rowe is a sufferer from heart-disease. Clemency is recommended by the superintendent and surgeon of the penitentiary.

William Scott. Convicted in the Russell county court, June, 1893, of bigamy, and sentenced to three years in the penitentiary. Granted January 22nd, 1894. It appears that the prisoner married a second time under the belief that his first wife was dead. He is old, in feeble health, and was prosecuted by the divorced husband of the woman whom he married a second time. His conduct in prison has been good, and his pardon is recommended by many prominent citizens of Russell county.

George Sligle (colored). Convicted in the Wythe county court, August, 1888, of murder in the second degree, and sentenced to eighteen years in the penitentiary. Granted April 11th, 1894. This man is completely broken down in health. Clemency is recommended by the superintendent and surgeon of the penitentiary, and by the commonwealth's attorney and many prominent citizens of Wythe county.

William Smith (colored). Convicted in the Henry county court, December, 1888, of attempted rape, and sentenced to ten years in the penitentiary. Granted May 23rd, 1894. The prisoner is a consumptive, with little or no hope for recovery. Pardon is recommended by the surgeon of the penitentiary.

Ed. Shaver (colored). Convicted in Roanoke county court, October, 1893, of assault and battery, and sentenced to jail for twelve months and fined \$50. Granted June 6th, 1894. This man has been an excellent prisoner, and has several times assisted the officers by disclosing plots among his fellow-prisoners. Pardon is recommended by the commonwealth's attorney, members of the jury who tried him, and by many prominent citizens of his county. His punishment was perhaps too severe.

Robert Stith. Convicted in the corporation court of Norfolk, 1894, of petit larceny, and sentenced to six months in jail. Granted November 27th, 1894. The prisoner's health is very bad, and he is failing rapidly. Pardon is recommended by the trial judge, who says in his letter: "I think this is a case in which common humanity calls for the exercise of executive clemency."

Edmond Slade (colored). Convicted in the corporation court of Danville, December, 1893, of grand larceny, and sentenced to five years in the penitentiary. Granted January 30th, 1895. It appears from after-discovered testimony, that this man was only guilty of petit larceny. His petition is signed by the judge, commonwealth's attorney, jury, and many prominent citizens of Danville.

Len Sexton. Convicted in the Grayson county court, June, 1894, of attempted murder, and sentenced to jail for twelve months. Granted March 21st, 1895. This man is pardoned upon the ground of broken health and the certificate of the jail physician, that in his opinion longer confinement would make the prisoner a physical wreck. The judge and jury recommend clemency.

George W. Sprouse. Convicted in the Augusta county court, October, 1892, of attempted rape, and sentenced to three years in the penitentiary. Granted March 27th, 1895. A certificate from the penitentiary surgeon states that this man is in the last stages of consumption. His term has nearly expired.

Phæbe Scott (colored). Convicted in the corporation court of Buena Vista, June, 1894, of malicious burning, and sentenced to three years in the penitentiary. Granted June 18th, 1895. In my opinion the sentence in this case ought not to have been imposed. The testimony was very weak and insufficient to warrant a jury in convicting. Clemency is recommended by the commonwealth's attorney and clerk of courts.

James Tyler (colored). Convicted in the Hanover county court, July, 1892, of burglary, and sentenced to two years in the penitentiary. Granted February 6th, 1894. His conduct in prison has been good, and he is mentally unbalanced. Deducting time for good behaviour, his term will expire in April. Pardon is recommended by the superintendent of the penitentiary and the surgeon upon the above grounds, and on account of the crowded condition of the prison.

Thomas Thompson (colored). Convicted in the hustings court of Richmond, March, 1892, of housebreaking, and sentenced to three years in the penitentiary. Granted May 19th, 1894. The prisoner is in the last stages of a loathsome disease, and his condition is critical and hopeless. His pardon is recommended by the superintendent and surgeon of the penitentiary. His term will expire November 22d, 1894.

James Turner (colored). Convicted in the Roanoke county court, March, 1888, of housebreaking, and sentenced to six years (five years added for second conviction) in the penitentiary. Granted July 5th, 1894. The prisoner has heart trouble, and is in the last stages of consumption. He cannot live long.

Clark Thomas. Convicted in the Halifax county court, 1894, of assault, and sentenced to six months in jail. Granted December 20th, 1894. The pardon of this man, who has served two-thirds of his term, is recommended by four reputable citizens, including the county judge. At the time of the recent jail delivery in Halifax, December 15th, 1894, he was in the prison but refused to escape, and gave the alarm to the officers of the law as soon as he could possibly do so.

James M. Thompson. Convicted in the Campbell county court, August, 1894, of malicious cutting, and sentenced to one year in the penitentiary. Granted December 20th, 1894. Pardon is recommended by the judge who tried the case, the present judge of the county, the sheriff, clerk, and many reputable citizens. The verdict appears to have been too severe. The prisoner had hitherto borne a good character.

William Turner alias William Dudley. Convicted in the Floyd county court, February, 1894, of buggery, and sentenced to two years in the penitentiary. Granted January 30th, 1895. It appears that this boy is hardly *compos mentis*. He is in very bad health, and suffers from heart trouble. The petition is signed by the judge, commonwealth's attorney, jurors, and many prominent citizens.

Walter Tomkins. Convicted in the Louisa county court, December, 1894, of unlawful assault, and sentenced to five months in jail. Granted March 30th, 1895. The health of the prisoner is bad, and further confinement will likely result seriously. Pardon is recommended by the judge, commonwealth's attorney, and jurors.

Sarah Williams. Convicted in the hustings court of Richmond, October, 1893, of resisting a policeman, and sentenced to six months in jail. Pardoned July 18th, 1894. This woman has been adjudged insane by a commission of lunacy, and clemency is extended in order that she may be transferred to an asylum.

F. C. Ward. Convicted in the corporation court of Norfolk, September, 1893, of stealing from the person, and sentenced to one year in the penitentiary. Pardoned January 28th, 1894. The testimony against this man was weak, unreliable and conflicting. Pardon is recommended by the trial judge, mayor of Norfolk, and many prominent citizens.

Thomas Willett. Convicted in the Accomac county court, November, 1890, of malicious cutting, and sentenced to eight years in the penitentiary. Granted February 16th, 1894. Clemency is recommended by the superintendent and surgeon of the penitentiary, on account of the prisoner's bad health, as there is a general breaking down of his system.

John Williams. Convicted in the Loudoun county court, February, 1894, of

larceny, and sentenced to two years in the penitentiary. Granted March 19th, 1894. This man is innocent, as clearly shown by after discovered evidence, fully corroborating his own testimony at the trial. His pardon is recommended by the judge and commonwealth's attorney.

Curtis White (colored). Convicted in the Roanoke county court, September 25th, 1891, of forgery, and sentenced to four years in the penitentiary. Granted April 16th, 1894. The prisoner, who has served three years of his term, is rapidly declining in health. He is suffering from consumption, and according to the statement of the surgeon of the penitentiary he cannot live long.

Della Williams. Convicted in the corporation court of Danville, March, 1894, of keeping house of ill-fame, and sentenced to thirty days in jail and fined \$50 and costs. Pardoned August 25th, 1894. This woman has paid the fine and costs. She is suffering from heart trouble and other diseases, and physicians certify that confinement in jail will endanger her life. Clemency is recommended by the judge and commonwealth's attorney.

Robert Walling. Convicted in the Loudoun county court, June, 1891, of horse-stealing, and sentenced to five years in the penitentiary. Pardon granted January 30th, 1895. The pardon of this man is recommended by the commonwealth's attorney, superintendent and surgeon of the penitentiary and many prominent citizens of Loudoun county, as well as by the man whose horse was stolen. The prisoner is in wretched health.

Nannie Woods (colored). Convicted in the Franklin county court, December, 1889, of arson, and sentenced to be hung. Sentence commuted to life imprisonment. Pardon granted January 30th, 1895. This woman is pardoned because she was innocent of the charge. Pardon recommended by the judge, clerk, mayor and many prominent citizens.

Meatia Wake (colored). Convicted in the Middlesex county court, September, 1892, of housebreaking (two indictments), and sentenced to four years in the penitentiary. Pardoned April 29th, 1895. This woman is far gone with consumption. She has served more than three-fourths of her term. Clemency is recommended by the surgeon of the penitentiary and many prominent citizens.

Andrew Wallace. Convicted in the corporation court of Norfolk, November, 1894, of assaulting a policeman, and sentenced to nine months in jail and fined \$25. Pardon granted May 23d, 1895. Since his confinement in jail Wallace has acted as one of the turnkeys and has always conducted himself in the most orderly and exemplary manner. On the 10th of May he informed the jailor that several of the prisoners were plotting to escape. His prompt report prevented the flight of at least one desperate man. He has only three months more to serve.

William Watson (colored). Convicted in the Orange county court, March, 1893, of attempted rape, and sentenced to fifteen years in the penitentiary. Granted September 20th, 1895. The convict is quite young. Since his trial there have been reasons to doubt his guilt, owing to the dissolute conduct of the girl alleged to have been assaulted. Clemency is recommended by a number of prominent citizens of Orange.

George Walker (colored). Convicted in the Albemarle county court, September, 1887, of rape, and sentenced to ten years in the penitentiary. Pardoned November 14th, 1895. Dr. Benj. Harrison, surgeon of the penitentiary, recommends the pardon of this man, who is in the last stages of consumption. He has served nearly all of his term, and has behaved well in prison.

CONDITIONAL PARDONS.

John Anderson. Convicted in the Tazewell county court September, 1895, of assaulting and beating, and sentenced to one day in jail and fined \$200. Pardon granted October 2nd, 1895, upon condition that fine and costs be paid. Clemency is recommended by the judge, commonwealth's attorney, many prominent citizens, and by the man assaulted.

Richard Brown (colored). Convicted in the hustings court of Richmond January, 1895, of highway robbery, and sentenced to twelve months in jail. Pardoned (conditionally) April 25th, 1895. Clemency is recommended by the judge, commonwealth's attorney, the complainant, and other reputable citizens. The prisoner appears to have been sufficiently punished.

W. S. Barr. Convicted in the hustings court of Roanoke, April, 1895, of misde-

meanor, and fined \$30 and sentenced to sixty days in jail. Pardon granted June 3rd, 1895, upon condition that he will at once leave the State. His wife, who resides in another State, is in a delicate condition, and motives of humanity prompt clemency.

Moses Baldwin. Convicted in the Tazewell county court, September, 1895, of assaulting and beating, and sentenced to one day in jail and fined \$200. Pardoned October 2nd, 1895, upon condition that fine and costs be paid. Clemency is recommended by the judge, commonwealth's attorney, many prominent citizens, and the man assaulted.

D. O. Baldwin. Convicted in the Tazewell county court, September, 1895, of assaulting and beating, and sentenced to one day in jail and fined \$200. Pardoned October 2nd, 1895, upon condition that fine and costs be paid. Clemency is recommended by the judge, commonwealth's attorney, many prominent citizens, and the man assaulted.

John Creevy. Convicted in the Pittsylvania county court, January, 1895, of housebreaking, and sentenced to two years in the penitentiary. Granted May 23rd, 1895, upon condition that he shall be immediately taken in charge by the Prison Association of Virginia. This boy is only fifteen years old, and his transfer to the Reformatory may improve his morals.

John Custard. Convicted in the Pittsylvania county court, January, 1895, of housebreaking, and sentenced to two years in the penitentiary. Granted May 23rd, 1895, upon condition that he shall be immediately taken in charge by the Prison Association of Virginia. The prisoner is only sixteen years of age, and, according to information received, grew up neglected and uncared for. It is hoped that the transfer to the Reformatory may work a change for the better in his moral condition.

Oscar Chappell (colored). Convicted in the corporation court of Lynchburg, July, 1895, of housebreaking, and sentenced to seventy-five days in jail. Pardon granted August 12th, 1895, upon condition that his mother will remove him at once from the State and that he will not return for the next five years. The prisoner is quite young (about thirteen years of age), and was led to commit the offence by other persons during the absence of his mother.

Louis Crowder (colored). Convicted in the Mecklenburg county court, April, 1895, of malicious assault, and sentenced to one year in the penitentiary. Committed December 23rd, 1895, until December 24th, 1895, upon conditions that he will not hereafter violate the penal laws. This man has been employed on the Capitol grounds for some months. He has been most respectful and faithful. His term has nearly expired.

Hamilton Duncan. Convicted in the Chesterfield county court, November, 1891, of obstructing a railroad, and sentenced to five years in the penitentiary. Granted October 6th, 1894. This prisoner was only fourteen years of age when the offence, of which he was convicted, was committed. He was from a distant State without friends here. His pardon is recommended by the judge and commonwealth's attorney, upon condition that he will leave the State and not return, and by the jurors. Granted upon the condition named.

Junius Dunn. Convicted in the Smyth county court, 1892, of breaking into an outhouse and stealing \$30 worth of meat, and sentenced to six years in the penitentiary. Granted conditionally January 2nd, 1895. While in prison, this man gave information of the murderous intent of one of his fellow convicts, which probably saved the life of a guard. Clemency is recommended by the commonwealth's attorney and jury, as well as the superintendent of the penitentiary. The prisoner is pardoned on the condition that he will henceforth conduct himself as a law-abiding citizen.

Walter Davis. Convicted in the hustings court of Roanoke, January and April, 1894, of misdemeanor and felony, and sentenced (for both offences) to seventeen months in jail and fined \$100. Pardoned May 20th, 1895, on condition that he hereafter conduct himself as a law-abiding citizen. The prisoner, who participated in the Roanoke riots, is quite young, and the punishment given him is considered very heavy. He has already served a large part of his term. Clemency is recommended by the commonwealth's attorney, town sergeant, and others.

John Demaiso. Convicted in the corporation court of Norfolk, June, 1895, of failing to assist an officer in making an arrest, and fined \$50 and sentenced to sixty days in jail. Pardon granted July 3rd, 1895, on condition that he will pay fine and

costs. The punishment in this case appears excessive. The prisoner is poor and his incarceration will subject his family to great hardships. The judge and other prominent citizens recommend clemency.

Thomas Fox. Convicted in the Prince Edward county court, August, 1894, of burglary, and sentenced to ten years in the penitentiary. Pardoned (conditionally) December 20th, 1894. In this case, the commonwealth's attorney asks for clemency upon the ground that he is now convinced that Fox was not guilty of burglary, but of receiving stolen goods, knowing them to have been stolen. Pardon is recommended by the judge, sheriff, and many prominent citizens.

Judy Flood (colored). Convicted in the corporation court of Norfolk, December, 1889, of grand larceny, and sentenced for life, it being her fourth conviction. Granted June 18th, 1895, conditionally. The prisoner is getting old and is a confirmed rheumatic, unable to work, and is believed by the authorities to be a reformed woman. The superintendent of the penitentiary recommends clemency.

Richard Gibson (colored). Convicted in the hustings court of Richmond, April, 1894, of petit larceny, and sentenced to six months in jail. Granted conditionally July 5th, 1894. This man is suffering from a malignant disease and will have to undergo an operation, which cannot be performed in prison. He is given his liberty on condition that he return to jail when relieved.

Ned Gunn (colored). Convicted in the Lunenburg county court, October, 1876, of housebreaking and arson; sentenced to twenty-five years in the penitentiary. Pardoned (conditionally) April 4th, 1895. Pardon is granted upon condition that he hereafter conduct himself as a law-abiding citizen. He has been in prison more than eighteen years. For a number of years his conduct has been excellent. He appears to have been sufficiently punished, and, upon recommendation of the superintendent, clemency is extended to him.

Peter Giles alias Peter Fitzgerald. Convicted in the Culpeper county court, June, 1894, of seduction, and sentenced to three years in the penitentiary. Granted (conditionally) July 26th, 1895. The prisoner pleaded guilty in consideration of an understanding with the commonwealth's attorney that he, the jury, committing justice and prosecuting witnesses would unite in recommending commutation to one year. He has now been confined thirteen months. The commonwealth's attorney and others ask that he be pardoned. His conduct in prison has been good.

Scott Goodman (colored). Convicted in the corporation court of Norfolk, February, 1890, of malicious shooting, and sentenced to ten years in the penitentiary. Pardoned (conditionally) September 24th, 1895. The physician of the convict farm reports that this man is far gone with consumption and recommends his pardon. He has been confined more than five and one-half years, and his conduct has been good.

William Graves (colored). Convicted in the Pittsylvania county court, June, 1894, of housebreaking, and sentenced to two years in the penitentiary. Committed (conditionally) December 23rd, 1895, to imprisonment until December 24th, 1895. For about sixteen months this man has been working upon the capitol and mansion grounds. His conduct has been excellent, and he has been most faithful and industrious. He has only three months to serve.

A. F. Hargrave. Convicted in the Tazewell county court, June, 1895, of unlawful sale of ardent spirits and sentenced to thirty days in jail and fined \$100. Pardoned June 24th, 1895, upon condition that fine and costs at once be paid. Under the circumstances, I think the fine in this case was sufficient without the imprisonment.

Chris Haller. Convicted in the Tazewell county court, September, 1895, of assaulting and beating, and sentenced to one day in jail and fined \$200. Pardon granted October 2nd, 1895, upon condition that fine and costs be paid. Pardon is recommended by the judge, commonwealth's attorney, and man assaulted.

Robert Keen. Convicted in the Buchanan county court, April, 1894, of abduction, and sentenced to three years in the penitentiary. Pardon granted April 30th, 1895, upon condition that he conducts himself hereafter as a law-abiding citizen. This man has been sufficiently punished. The jury would have fixed his punishment at one year if they could have done so. Clemency is recommended by many prominent citizens.

William King. Convicted in the Lee county court, January, 1895, of burglary, and sentenced to two years in the penitentiary. Granted May 23, 1895, upon con-

dition that he shall be taken in charge by the Prison Association of Virginia. The prisoner is only fourteen years of age. His transfer to the Reformatory may do much towards improving his morals.

George Owens (colored). Convicted in the hustings court of Richmond, October, 1894, of housebreaking, and sentenced to twelve months in jail. Granted June 14th, 1895, on condition that he hereafter conduct himself as an honest citizen. The judge, commonwealth's attorney and jury unite in recommending pardon. The prisoner is only fourteen years of age. He has served nearly all of his term and is now in failing health.

Frank Pease. Convicted in the corporation court of Norfolk, February, 1895, of felonious assault, and sentenced to two months in jail. Pardon granted March 22d, 1895, the prisoner having complied with the terms by paying costs of the prosecution (\$25.00), conditions precedent.

Taylor Rolan alias Taylor Rowland. Convicted in the Fluvanna county court, March, 1876, of burglary and larceny, and sentenced to twenty-four years in the penitentiary; ten years being added for prior conviction. Pardoned April 4th, 1895, on condition that he conduct himself as a law-abiding citizen hereafter. The prisoner has been in the penitentiary more than eighteen years. His conduct has been good, except immediately after he was received. It is thought that he has been sufficiently punished. Clemency is recommended by the superintendent of the penitentiary.

Claiborne Rutherford. Convicted in the Lee county court, June, 1894, of horse-stealing, and sentenced to three years in the penitentiary. Pardoned April 25th, 1895, on condition that he conducts himself as a law-abiding citizen hereafter. Pardon is recommended by the commonwealth's attorney, sheriff, clerk of courts, three members of the legislature, the person from whom the horse was stolen, and nine of the jurors. At the time of the offence the convict, who was quite young, was crazed by drink. His prison record is good and his health bad.

George H. Rogers. Convicted in the Lee county court, February, 1891, of barn-burning, and sentenced to eight years in the penitentiary. Pardoned August 24th, 1895, on condition that he conduct himself as a law-abiding citizen hereafter. There are grave doubts as to the prisoner's guilt. His conduct in prison has been good. Pardon is recommended by the commonwealth's attorney who prosecuted, the present commonwealth's attorney, jurors, sheriff, treasurer, and citizens.

David Rigney. Convicted in the Carroll county court, June, 1894, of manslaughter, and sentenced to three years in the penitentiary. Pardoned conditionally, September 24th, 1895. The prisoner is believed to be in the last stages of consumption. Pardon is recommended by the physician of the Convict Farm.

W. D. Shepherd. Convicted in the hustings court of Richmond, November, 1893, of grand larceny, and sentenced to one year in the penitentiary. Pardoned July 5th, 1894, upon condition that he will not within the next two years commit any felony or misdemeanor within the State of Virginia. There are strong doubts as to the guilt of this man, as he was with several drunken companions when the offence was committed, and was himself intoxicated. He has served nearly all of his term. Pardon is recommended by many prominent citizens.

Mason Tavenner. Convicted in the Loudoun county court, August, 1895, of selling liquor without a license; fined \$100 and sent to jail for six months. Granted September 9th, 1895, upon condition that he conducts himself hereafter as a law-abiding citizen and not again violate the penal laws of the commonwealth. In the opinion of the physician of the jail further confinement would result in his death. Recommended by judge and many prominent citizens.

Lilawa Tamalamawa. Convicted in the hustings court of Richmond, April, 1895, of petit larceny, and sentenced to six months in jail. Pardoned March 10th, 1895, on condition that he leave the State and never return. He is an Hawaiian subject. Clemency is especially recommended by the Hawaiian consul-general and by Hon. S. B. Witt, the trial judge.

John S. Taylor. Convicted in the Prince Edward county court, February, 1894, of forgery, and sentenced to two years in the penitentiary. Pardoned July 26th, 1895, upon condition that he conduct himself hereafter as a law-abiding citizen. Clemency is recommended by the judge, commonwealth's attorney, and many prominent citizens. He forged a due-bill for \$2.00 while in a drunken condition. His character had been good, and he has conducted himself well in prison. The person whose name was forged united with many others in asking clemency.

Irene Turner. Convicted in the corporation court of Danville, December, 1895, of keeping a house of ill-fame; fined ten dollars and sentenced to thirty days in jail. Pardoned December 6th, 1895, upon condition that she pay fine and costs of prosecution at once. The prisoner is pardoned on account of bad health. Clemency is recommended by the commonwealth's attorney, jail physician, jurors, and several prominent citizens.

Whit Williams. Convicted in the corporation court of Danville, December, 1894, of unlawful assault, and sentenced to six months in jail. Pardon granted April 4th, 1895, on condition that he conduct himself as a law-abiding citizen hereafter. Clemency is recommended by the judge, jury, and many prominent citizens. His punishment was probably quite severe.

Charles Washington (colored). Convicted in the Page county court, June, 1894, of burglary, and sentenced to five years in the penitentiary. Pardoned April 10th, 1895, on condition that he conducts himself as a law-abiding citizen hereafter. The prisoner is only sixteen years of age. His conduct in the penitentiary has been good. Clemency is recommended by the judge, commonwealth's attorney, and others.

Corbett Williams. Convicted in the corporation court of Danville, March, 1895, of malicious assault, and sentenced to one year in the penitentiary. Granted September 20th, 1895, on condition that he conduct himself hereafter as a law-abiding citizen. Clemency is recommended by the judge, commonwealth's attorney, mayor of Danville, and by many prominent citizens, who think the punishment was excessive. The injury was slight. He is a young man, and his previous character was good.

COMMUTATIONS.

Ida Anderson. Convicted in the hustings court of Richmond in 1893 of grand larceny, and sentenced to one year in the penitentiary. Commuted July 13th, 1894, to three months in jail. The prisoner is a half-witted girl, scarcely more than a child. She was influenced to commit the offence by an old offender, and when the gentleman who lost the money spoke of it, she promptly told him who had it. Clemency is recommended by Hon. S. B. Witt, the trial judge.

J. F. Ashworth. Convicted in the Lunenburg county court, January, 1894, of malicious shooting, and sentenced to three years in the penitentiary. Commuted November 23d, 1894, to fifteen months. The pardon of this man, whose prison record has been good, is recommended by the judge, commonwealth's attorney, and jury, and nearly one hundred reputable citizens. The offence for which the prisoner was convicted was wholly without premeditation, and was, perhaps, due to his intoxicated condition.

William Anderson. Convicted in the Prince William county court, October, 1894, of housebreaking, and sentenced to two years in the penitentiary. Commuted to six months in the penitentiary February 27th, 1895. Clemency is recommended by the judge, commonwealth's attorney, and eight of the jury. He was technically guilty of the offence.

E. C. Blank. Convicted in the hustings court of Richmond, December, 1893, of forgery, and sentenced to two years in the penitentiary. Commuted February 2d, 1894, to six months in jail. The trial judge, commonwealth's attorney, jurors, and sergeant of the city of Richmond, and the gentleman whose name was forged, recommend the granting of the petition for commutation. It appears that Blank was for several years addicted to the use of opium, which deprived him of his will-power and wrecked him physically. Under these circumstances it is doubtful whether he was morally or legally responsible for his act.

George W. Boshier. Convicted in the Hanover county court, December, 1891, of housebreaking with intent to rape, and sentenced to five years in the penitentiary. Commuted June 9th, 1894, to three years imprisonment in the penitentiary. Clemency is recommended by the superintendent of the penitentiary, Hon. R. H. Cardwell, and nearly one hundred good citizens of Hanover. The man was intoxicated when he attempted the crime, and it is believed he would not have committed the offence had he been sober.

W. J. Bowles. Convicted in the Amherst county court, August, 1894, of attempted involuntary manslaughter, and sentenced to six months in jail. Commuted November 9th, 1894, to three months in jail. The punishment of this man appears excessive. The victim of the assault received practically no injury, while

Bowles, when he committed the offence, was sorely tried. He did the shooting in the belief that he was in danger. He is a weak man physically. The commonwealth's attorney, sheriff, treasurer, and several jurors, recommend clemency.

Isaac Beckelheimer. Convicted in the Floyd county court, May, 1894, of perjury, and sentenced to two years in the penitentiary. Commuted January 8th, 1895, to one year in the penitentiary. The prisoner was under seventeen years of age when the offence was committed, and it appears he was persuaded to perjure himself by an older person. Clemency is recommended by the judge, commonwealth's attorney, and fully two hundred reputable citizens of Floyd county.

Marshall Black. Convicted in the Bedford county court, December, 1894, of malicious shooting, and sentenced to one year in the penitentiary. Commuted March 25th, 1895, to one year in jail upon paying costs in the case and a fine of fifty dollars. The prisoner has complied with the conditions of the pardon by paying the fine and costs. Clemency was recommended by the commonwealth's attorney and several hundred prominent citizens.

David Bailey. Convicted in the Tazewell county court, October, 1894, of horse-stealing, and sentenced to three years in the penitentiary. Commuted July 26th, 1895, to one year. The prisoner is only sixteen years of age, and is the only support of his mother, who has a large family. Clemency is recommended by the commonwealth's attorney.

John W. Coffman. Convicted in the Rockingham county court, May, 1893, of attempted rape, and sentenced to five years in the penitentiary. Commuted May 25th, 1894, to three years in the penitentiary. The prisoner is a young man of very little mind, and did not, in the opinion of the judge, fully comprehend the nature of the offence with which he was charged. The commonwealth's attorney thinks the minimum punishment—three years—will be sufficient. Many citizens recommend his pardon. His character has been fair, and his conduct in prison good.

D. Coppedge. Convicted in the Bedford county court, November, 1894, of malicious assault, and sentenced to one year in the penitentiary. Sentence commuted December 20th, 1894, to twelve months in jail. The prisoner is thought to have been insane, as shown by after-discovered evidence.

Matthew Ellington. Convicted in the hustings court of Richmond, December 20th, 1894, of voluntary manslaughter and sentenced to three years in the penitentiary. Commuted March 1st, 1895, to imprisonment in jail for twelve months. The petition of this man is endorsed by the judge, commonwealth's attorney, and many reputable citizens. He was convicted of manslaughter, but the facts show that the killing was probably accidental, and that the deceased was in a declining condition at the time of the alleged homicide.

Bartlett Fisher (colored). Convicted in the Powhatan circuit court, October, 1880, on indictments for burglary and robbery, and sentenced to twenty-six years in the penitentiary. Sentence in two cases commuted, on April 18th, 1894, to sixteen years. This man, who has served so many years in prison, is now quite old. While in the penitentiary, he has been an excellent prisoner. His thefts were all small.

William Gibson (colored). Convicted in the Powhatan county court, October, 1880, of burglary and robbery, and sentenced to twenty-six years in the penitentiary. Commuted May 4th, 1894, to sixteen years. This convict is an old man, and has been a good prisoner. Pardon is recommended by the superintendent of the penitentiary.

Thomas A. Goodman. Convicted in the Alexandria county court, December, 1894, of malicious cutting, and sentenced to two years in the penitentiary. Commuted April 30th, 1895, to one year in the penitentiary. When the crime was committed, Goodman was so crazed with liquor as to raise doubt as to his responsibility for his act, which seems to have been without anything to induce it. Clemency is recommended by the judge, commonwealth's attorney, jury and many prominent citizens.

James Haley. Convicted in the Lee county court, July, 1893, of attempt to kill, and sentenced to twelve months in jail. Commuted February 5th, 1894, to nine months in jail. The prisoner's conduct in jail has been excellent, and he has cheerfully performed the duties imposed upon him. Clemency is asked by a large number of citizens.

J. D. Humphreys. Convicted in the corporation court of Charlottesville, No-

vember, 1891, of forgery, and sentenced to six years in the penitentiary. Commuted to five years' actual confinement September 20th, 1895. Clemency in this case was recommended by the judge, commonwealth's attorney, jury, senator for the district, and many reputable citizens.

Samuel M. Laline. Convicted in the Franklin county court, December, 1885, of house-breaking and robbery, and sentenced to seventeen years in the penitentiary. Commuted November 9th, 1894, to ten years and three months, on condition that he leave Virginia and never return. The punishment in this case appears to have been excessive. Laline has already served nearly nine years of his term. His health is bad. The articles stolen by him were of little value. Many good citizens recommend clemency.

Franklin C. Lewis. Convicted in the Accomac county court of selling liquor unlawfully; sentenced to sixty days in jail and fine and costs, aggregating \$332.69, imposed. Sentence commuted March 8th, 1895, to five days in jail. It appears that the fine and costs imposed have been paid.

G. W. McClanahan. Convicted in the Buckingham county court, August, 1894, of malicious assault, and sentenced to one year in the penitentiary. Commuted to four months. Pardon is recommended by the commonwealth's attorney, jury, and many prominent citizens. The prisoner was an accessory before the fact, and the principal was sent to jail for six months. His conduct in prison has been good.

Shade McClanahan. Convicted in the Buckingham county court, August, 1894, of malicious assault, and sentenced to one year in the penitentiary. Commuted to four months in jail. Pardon is recommended by the commonwealth's attorney, jury, and many prominent citizens. The prisoner (like his brother, G. W. McClanahan,) was an accessory before the fact. His conduct in prison has been good.

Thomas Nelson (colored). Convicted in a magistrate's court of Henrico county, 1895, of petit larceny, and sentenced to thirty days in jail. Commuted to ten days in jail April 11th, 1895. This man stole twenty-five cents worth of coal. He has a very destitute family dependent upon him, and in view of the recommendations of the judge, commonwealth's attorney, and other citizens, clemency is extended him.

Mary Norment (colored). Convicted in the hustings court of Richmond, March, 1895, of attempting to rescue a prisoner from a policeman, and sentenced to six months in jail. Commuted March 25th, 1895, to five days in jail, upon condition that fine and costs be paid. This woman was technically guilty, but the jury, having no discretion, were compelled to make the sentence six months. The punishment is excessive. The judge, commonwealth's attorney, and others, recommend clemency.

Thomas Nappier. Convicted in the Nelson county court, July, 1893, of house-breaking, and sentenced to four years in the penitentiary. Commuted to two years' actual confinement, July 18th, 1895. The punishment of this man is regarded as excessive by the commonwealth's attorney. The prisoner made no defence, owing to an understanding between his attorney and the commonwealth's attorney that the jury would be requested to fix his term at two years. The jury disregarded this request.

Daniel Powell (colored). Convicted in the hustings court of Manchester, September, 1892, of horse-stealing, and sentenced to three years in the penitentiary. Commuted February 14th, 1894, to two years. The prisoner is quite young, and, prior to the offence, had borne a good character. He is believed to have been led astray by older associates.

William Porter (colored). Convicted in the Roanoke county court, 1889, of burglary, and sentenced to eight years in the penitentiary. Commuted July 7th, 1894, to five years' imprisonment. The prisoner was only fifteen years of age when he committed the offence. His conduct in prison has been excellent. Clemency is recommended by the judge, commonwealth's attorney, and party whose house was entered.

John Peake (colored). Convicted in the Pittsylvania county court, June, 1891, of rape, and sentenced to ten years in the penitentiary. Commuted August 16th, 1895, to five years. The punishment in this case was excessive. The evidence disclosed the fact that Peake and the woman upon whom the assault was made, had previously been living together as man and wife, and the subsequent marriage

of Peake to another woman had incensed his paramour. The trial judge recommends clemency.

James G. Richardson. Convicted in the hustings court of Roanoke, November, 1894, of inciting riot, and sentenced to thirty days in jail and fined \$100. Commuted February 2d, 1894, to twenty-four hours in jail upon payment of fine. The prisoner has hitherto borne a good character. It is represented that his mother, a lady eighty years of age, is deeply grieved over his conviction, and it is feared she will die if sentence should be carried out.

Geo. W. Raymond. Convicted in the York county court, June, 1893, of grand larceny, and sentenced to two years and ten months in the penitentiary. Commuted September 12th, 1895, to two years and four months. His term has nearly expired. His prison conduct has been good, and he is far gone with consumption and stomach trouble. It seems humane to release him.

J. Renfro. Convicted in the Scott county court, August, 1894, of housebreaking, and sentenced to two years in the penitentiary. Commuted September 20th, 1895, to thirteen months, on condition he leave the State never to return. Renfro is a confirmed cripple and a great sufferer. Pardon is recommended by the superintendent and surgeon of the penitentiary and many good citizens.

Terry Southerland. Convicted in the Grayson county court, October, 1891, of murder in the second degree, and sentenced to nine years in the penitentiary. Commuted to three years. It appears that there were strong mitigating circumstances in this case. The prisoner killed his brother, several years his senior, who, it seems, had for a long time almost habitually maltreated him, beating and choking him on numerous occasions. The convict was physically weak and rather simple-minded, and on the morning of the killing he had reasonable grounds to fear serious personal chastisement from his victim.

Nelson Shores (colored). Convicted in the hustings court of Richmond, July, 1893 (drove a horse and buggy into the county and left it on roadside), and was sentenced to eight years in the penitentiary. Sentence commuted January 6th, 1894, to confinement for eight months from date. The prisoner is only twelve years of age, and being colored, cannot get into the Reformatory.

Preston White. Convicted in the Albemarle county court, January, 1893, of malicious assault, and sentenced to five years in the penitentiary. Commuted August 2d, 1894, to two years. In the opinion of the judge, commonwealth's attorney, and many prominent citizens, the punishment was excessive. The convict's conduct in prison has been good.

Edward W. Williams alias Edward Wooton alias Woodson. Convicted in the hustings court of Richmond, March, 1894, of burglary, and sentenced to six years in the penitentiary (five years added for second conviction). Commuted September 10th, 1894, so that his term will expire September 15th, 1894, instead of October 14th, 1898. The prisoner is dying of consumption. His case is hopeless. His conduct in prison has been good. (Williams died the day after the pardon was granted and before the papers reached him.)

James Williams. Convicted in the Wythe county court, May, 1894, of forgery, and sentenced to two years in the penitentiary. Commuted March, 16th, 1895, to one year in the penitentiary. The prisoner was a reputable man until he became a confirmed opium-eater. He forged the name of a man who owed him, but would not pay, for a small sum. His family was in distress. Clemency is recommended by the commonwealth's attorney and many prominent citizens.

Robert Williams alias Paul Lawson. Convicted in the Nottoway county court, September, 1888, of housebreaking and larceny, and sentenced to ten years in the penitentiary (five years added for second conviction). Commuted March 29th, 1895, to seven years actual confinement, upon condition that he hereafter conducts himself as a law-abiding citizen. There appears to be no doubt that the original term imposed upon this man was excessive. Pardon is recommended by the judge and commonwealth's attorney. His conduct in prison has been good.

RESPITES.

Madison Brown (colored). Convicted in the corporation court of Norfolk of murder in the first degree, and sentenced to be hung July 11th, 1894. Respited June 30th, 1894, till July 31st, 1894. The prisoner makes a strong appeal for a respite in order that he may prepare his soul for eternity. The earnestness of the communication is such as to justify a twenty days' respite.

Morris Hopkins (colored). Convicted in the Henrico county court, February 21st, 1895, of murder in the first degree, and sentenced to be hung April 3d, 1895. Respited until Wednesday, April 24th, 1895. Mr. Wm. Justis, counsel for Hopkins, has been informed that Robert Mosby, one of the principal witnesses for the Commonwealth, has admitted that his testimony was false. Respite is granted in order that the condemned man may investigate this matter through his lawyer.

William Henry Marable alias Solomon Marable. Convicted in the Lunenburg county court, July, 1895, of murder in the first degree, and sentenced to be hung September 20th, 1895. Respited until October 22d, 1895.

James Robinson. Convicted in the Prince William county court, February, 1894, of rape, and sentenced to be hung March 30th, 1894. Respite until April 20th, 1894. This action is taken in order that the prisoner may be hung with Ben. White, his *particeps criminis*. Respited again until April 27th, 1894, in order to allow Robinson's counsel time to prepare writ of error.

William Robertson. Convicted in the Franklin county court, 1894, of murder in the first degree, and sentenced to be hung December 21st, 1894. Respited until January 25th, 1895. Respite is requested by the commonwealth's attorney.

Benj. White (colored). Convicted in the Prince William county court, March, 1894, of rape, and sentenced to be hung April 20th, 1894. Respited April 17th until April 27th, 1894. Respite allowed in order to enable prisoner's counsel to prepare writ of error.

On motion of Mr. BUCHANAN, Mr KANE was granted leave of absence for ten days.

On motion of Mr. WICKHAM, the Senate adjourned until to-morrow 12 o'clock.

TUESDAY, JANUARY 7, 1896.

Mr. LOVENSTEIN, President *pro tempore*, in the chair.

Prayer by Rev. R. P. Kerr, D. D.

Journal of yesterday read by the clerk.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported with an amendment

- ✓ No. 83, Senate bill to amend and re-enact section 5 of an act approved March 8th, 1875, entitled an act to incorporate the town of Glade Springs, in Washington county.

He, from the same committee, reported with an amendment

- ✓ No. 140, Senate bill to amend and reenact section 18 of an act entitled an act to provide a charter for the city of Buena Vista, approved February 15th, 1892.

He, from the same committee, reported with the recommendation that the special joint committee asked for be appointed

- ✓ Joint resolution referring that portion of Governor's message regarding public roads to a special joint committee; the resolution was subsequently taken up and rejected by the following vote: ayes 16; noes 19.

AYES—Messrs. Barnes, Brown, Claytor, Clement, Jordan, Keezell, Little, Lowry, Maynard, McIlwaine, Mushbach, Snead, St. Clair, Tredway, Turnbull, and Withers—16.

NOES—Messrs. Boykin, Buchanan, Echols, Fairfax, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, LeCato, Mason, Morris, Parr, Sands, Southall, Stubbs, Wickham, and Williams—19.

And he, from the same committee, reported without amendment
✓ No. 11, House bill to prohibit horses, mules and colts from running at large upon the public roads of the county of Accomac.

✓ A message was received from the Governor returning Senate bill No. 81 with his veto, which, on motion of Mr. ECHOLS, was taken up and referred to the committee on roads and internal navigation with the accompanying bill.

Mr. STUBBS, by leave, presented

✓ No. 182, Senate bill to amend and re-enact sections 64 and 65 of the Code of Virginia, relating to electoral boards, and to repeal section 72 of Code of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. STUBBS, by leave, presented

✓ No. 183, Senate bill to amend and re-enact sections 4, 5, 8 and 15 of an act entitled an act to provide for the method of voting by ballot; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. MUSHBACH, by leave, presented

✓ No. 184, Senate bill to amend and re-enact section 1, chapter 768, of the Acts of the General Assembly of Virginia, 1893-'94, approved March 7, 1874, entitled an act to require the Board of Supervisors of Alexandria county to tax the sale of ardent spirits and malt liquors in said county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MUSHBACH, by leave, presented

✓ No. 185, Senate bill to repeal an act approved March 2, 1894, entitled an act to create a board of excise commissioners for Alexandria county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. FAIRFAX, by leave, presented

✓ No. 186, Senate bill in relation to the New York, Philadelphia and Norfolk Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MASON, by leave, presented

✓ No. 187, Senate bill to provide the method of voting by ballot; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. MASON, by leave, presented

✓ No. 188, Senate bill to create a fish commission, define the duties, and fix the salaries of its members; which, on his motion, was

read the first, ordered to be read a second time, and referred to the committee on fish and game.

✓ Mr. BARNES, by leave, presented

No. 189, Senate bill to incorporate the city of Newport News in the county of Warwick, and to provide a charter therefor; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. ECHOLS, by leave, presented

✓ No. 190, Senate bill to incorporate the King's Daughters Hospital of Staunton, Va.; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. ECHOLS, by leave, presented

✓ No. 191, Senate bill to amend and re-enact sections 1, 2, and 4 of an act entitled an act to appoint a board of trustees for the Virginia Female Institute, at Staunton, and to provide for the future government of said institute, approved March 14, 1874, with a preamble to said amended and re-enacted section; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. LITTLE, by leave, presented

✓ No. 192, Senate bill to amend and re-enact an act approved March 1, 1894, entitled an act to amend and re-enact section 2940 of the Code of Virginia in relation to warrants for small claims, as amended and re-enacted by chapter 74 of the Acts of Assembly 1889-'90; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MAYNARD, by leave, presented

✓ No. 193, Senate bill to amend and re-enact the 3d section of an act approved February 3, 1888, entitled an act to incorporate the Berkley Street Railway Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. WITHERS, by leave, presented

✓ No. 194, Senate bill to provide for the general supervision of railroads, steamboat or canal companies, express and telegraph companies doing business in the State of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. WITHERS, by leave, presented

✓ No. 195, Senate bill to constitute the railroad commissioners a board of appraisers for railroads; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. WITHERS, by leave, presented

✓ No. 196, Senate bill to constitute the railroad commission a

court of record; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

✓ Mr. TURNBULL, by leave, presented

✓ No. 197, Senate bill to provide the manner in which testimony shall be taken in certain chancery suits now pending in the courts of this Commonwealth, or which may hereafter be instituted; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. TURNBULL, by leave, presented

✓ No. 198, Senate bill to amend and re-enact section 2954 of the Code of Virginia in regard to proceedings before a justice for release to claimant of property taken under distress warrant, or levied on under execution on judgment of a justice, and when and how appeal allowed; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. TREDWAY, by leave, presented

✓ No. 199, Senate bill for the relief of the sureties of W. S. Graveley, late treasurer of Henry county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. CLAYTOR, by leave, presented

✓ No. 200, Senate bill to confirm and validate the charter of The Peoples Perpetual Loan and Building Association of Roanoke, Va., granted by the corporation court for the city of Roanoke; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

✓ Mr. CLAYTOR, by leave, presented

✓ No. 201, Senate bill to allow correction of assessments in cases where land is assessed to the proper owner, and at the same time the same land is assessed to another person, at any time after the discovery of such erroneous assessment; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. CLAYTOR, by leave, presented

✓ No. 202, Senate bill to incorporate the Salem and Blacksburg Electric Railway Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

✓ Mr. CLAYTOR, by leave, presented

✓ No. 203, Senate bill to amend and re-enact section 2109 of the Code of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. CLAYTOR, by leave, presented

✓ No. 204, Senate bill to repeal chapter 209, Acts of Assembly 1893-'94, for the protection of fish in Roanoke county; which, on

his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. LOVENSTEIN, by leave, presented

- ✓ No. 205, Senate bill to promote the efficiency of the First Regiment, Infantry, Virginia Volunteers; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. LOVENSTEIN, by leave, presented

- ✓ No. 206, Senate bill to authorize the United, Security, Life and Trust Company of Pennsylvania to do business in this State without the deposit of securities with the treasurer; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

- ✓ A communication from the auditor of public accounts in relation to the status of the several accounts of the clerks of courts and other officers, except treasurers, was read, and, on motion of Mr. McILWAINE, was laid on the table and ordered to be printed as Senate Doc. No. 5.

- ✓ A communication from the auditor of public accounts furnishing a statement showing amount of revenue derived from the oyster industry for the fiscal year ending September 30, 1895, was read, and, on motion of Mr. KEEZELL, was laid on the table and ordered to be printed. Doc. No. 6.

- ✓ A communication from the auditor of public accounts, informing the Senate what amount has been expended by the State for the care and support of lunatics and insane persons, outside of the several insane hospitals, &c., during the last fiscal year, was read, and on motion of Mr. BUCHANAN, was laid on the table and ordered to be printed. Doc. 7.

Mr. McILWAINE offered the following:

- ✓ Resolved, That the committee on privileges and elections be and the same is hereby directed to prepare and present to the Senate a proper resolution providing for a proposed amendment to the Constitution of Virginia whereby the election laws may be so changed as to require a *viva voce* vote at all elections to be held in this State.

Which was read, and on his motion, referred to the committee on privileges and elections.

- ✓ No. 16, House bill entitled an act to remove the disabilities of James L. Bishop, was, on motion of Mr. BOYKIN, taken up, read a third time, and passed with its title.

The vote was recorded as follows:

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flood, Green, Hale, E. H. Jackson, G. W. Jackson, Jordan, Keezell, LeCato, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—34.

- ✓ No. 53, House bill entitled an act to amend and re-enact an act

approved January 31, 1894, entitled an act to amend and re-enact sections 1, 2, 5 and 8 of an act entitled an act to incorporate the Potomac and Great Falls Railroad Company, approved January 26, 1892, was taken up, and on motion of Mr. MUSHBACH, a substitute for the bill was offered, which was read the second time and ordered to be engrossed and read a third time; and being forthwith engrossed, was, upon his further motion (two-thirds concurring), read the third time, and passed with its title.

Mr. WITHERS offered the following:

Resolved, That so much of the Governor's message as refers to the suitable legislation to promote the permanent improvement of the public roads of the State be referred to the committee on county, city and town organizations, with authority to report by bill or otherwise.

Which was agreed to, and referred to the committee on county, city and town organizations.

On motion of Mr. MAYNARD, the Senate adjourned until to-morrow at 12 o'clock.

WEDNESDAY, JANUARY 8, 1896.

Mr. LOVENSTEIN, President *pro tem*, in the chair.

Prayer by Rev. Robert P. Kerr, D. D.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk, was read as follows:

In House of Delegates, January 7, 1896.

The House of Delegates has passed House bill entitled an act to amend and re-enact an act entitled an act to require the payment of fees on certain charters, approved February 10, 1890, as amended by an act approved February 28, 1890, and further amended and re-enacted by an act approved January 22, 1894, No. 47.

In which bill they request the concurrence of the Senate.

Mr. SANDS, from the committee on general laws, reported with amendments,

No. 95, Senate bill to incorporate the United Land and Investment Company.

He, from the same committee, reported without amendment,

No. 160, Senate bill to permit Dr. W. M. Chatham to practice dentistry in Virginia.

He, from the same committee, reported with amendments,

No. 163, Senate bill to amend and re-enact section 1145 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 1145 of the Code of Virginia as

✓ to how certain charters of incorporation granted, altered or amended by circuit or corporation courts, and where to be recorded; validating all charters to build and operate railroads heretofore granted by a circuit or corporation court, but forbidding said courts to grant such charters in the future, approved February 20, 1892.

✓ And he, from the same committee, reported without amendments, No. 181, Senate bill to incorporate the Virginian Securities Company.

Mr. ECHOLS, from the committee on roads and internal navigation, reported with amendments,

✓ No. 25, House bill to amend and re-enact sections 1 and 9 of an act entitled an act to incorporate the Chesapeake Bay and Great Western Railway Company, approved February 19, 1894.

✓ The bill was subsequently taken up, and the amendments proposed by the committee were agreed to.

✓ The bill, as amended, was passed with its title.

He, from the same committee, reported with an amendment,

✓ No. 56, House bill to incorporate the Elizabeth Night Ferry Company.

✓ The bill was subsequently taken up, and the amendment proposed by the committee was agreed to.

✓ The bill, as amended, was passed with its title.

He, from the same committee, reported with an amendment,

✓ No. 143, Senate bill to amend and re-enact section 11 of an act approved by the General Assembly entitled an act to incorporate the Richmond, Gayton and Southside Railroad Company, approved January 26, 1892.

He, from the same committee, reported without amendment,

✓ No. 58, House bill to incorporate the Frederick Electric Railway Company.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment,

✓ No. 60, House bill to amend and re-enact sections 10 and 11 of an act entitled an act to incorporate the Virginia Seaboard and Western Railroad Company, approved February 10, 1894.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported with amendments,

✓ No. 128, Senate bill to incorporate the Danville and Riverside Railway Company.

He, from the same committee, reported with amendments,

✓ No. 167, Senate bill to incorporate the Portsmouth and Pinner's Point Drawbridge Company.

He, from the same committee, reported without amendment,

✓ No. 150, Senate bill to incorporate the Mineral Belt Railway and Tramway Company.

And he, from the same committee, reported without amendment,

✓ No. 179, Senate bill to amend and re-enact an act approved March 3, 1892, entitled "an act to amend and re-enact section 2 of an act passed by the General Assembly of Virginia, entitled an act to incorporate the Bland County Land Improvement, Development and Transportation Company, approved February 22, 1890, and to amend and re-enact section 4 of said act, approved February 22, 1890, entitled an act to incorporate the Bland County Land Improvement, Development and Transportation Company, to amend, re-enact and change the title of said last named act, and to enlarge the powers of said company, so that it may have and exercise all the rights, powers, and privileges of a railway company."

✓ The bill was subsequently taken up, read the second time, and ordered to be engrossed; and being forthwith engrossed, on motion of Mr. ECHOLS (two-thirds concurring), was read the third time, and passed with its title.

Mr. WICKHAM, from the committee on finance and banks, reported, with the recommendation that it do not pass,

✓ No. 33, House bill to refund to Carrington W. Mosby certain taxes improperly paid to the State.

✓ The bill was subsequently taken up, and the adverse report of the committee was agreed to.

Therefore,

✓ Resolved, That the bill be rejected.

And he, from the same committee, reports a resolution as to vessel property:

✓ That the assessment of boats and other water craft, &c., in the resolution mentioned is correct, but that it appears that there are a large number of subjects of taxation not assessed which should be, and legislation to that effect should be enacted.

The resolution was subsequently taken up and agreed to.

Mr. HALE, by leave, presented

✓ No. 207, Senate bill entitled an act to regulate the qualification and privilege of voters; the regulation of elections and proper conduct and return of all elections; when, where, and how general and special elections to be held; providing for the compensation of election officers, and defining offences against the election law, with the penalties therefor, and providing the method of voting by ballot, &c.; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. HALE (by request), by leave, presented

✓ No. 208, Senate bill to amend and re-enact section 6 of an act to incorporate the Blue Ridge Railroad Company, approved February 15, 1892, amended and re-enacted by an act approved January 23, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. JONES, by leave, presented

- ✓ No. 209, Senate bill to provide for the protection of domestic animals, to authorize and empower the board of agriculture to establish live stock quarantine lines, rules and regulations, and to prescribe penalties for violating the same; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BUCHANAN, by leave, presented

- ✓ No. 210, Senate bill to amend and re-enact section 2275 of the Code of Virginia, in relation to "how dower may be assigned;" which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. LITTLE, by leave, presented

- ✓ No. 211, A bill to pension Louisa Dent, of Stafford county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. LITTLE, by leave, presented

- ✓ No. 212, A bill to pension Virginia Fritter, of Stafford county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. CLAYTOR, by leave, presented

- ✓ No. 213, A bill to amend and re-enact section 3154 of the Code of Virginia, concerning the examination of jurors as to interest or prejudice, and providing for challenging jurors; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. CLAYTOR, by leave, presented

- ✓ No. 214, A bill to amend sections 3501 and 3502 of the Code of Virginia, in relation to fees of commissioners in chancery; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. CLAYTOR, by leave, presented

- ✓ No. 215, A bill to amend and re-enact an act entitled an act for the protection of certain game in the county of Roanoke; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. WICKHAM, by leave, presented

- ✓ No. 216, A bill to make an appropriation to enable the Virginia Chickamauga Commission to mark by monument or monuments, and other suitable memorials, the positions held by the Virginia troops in the battles of Chickamauga and Chattanooga, within the limits of Chickamauga and Chattanooga National Park, and for other purposes; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MUSHBACH, by leave, presented

- ✓ No. 217, A bill to repeal the charter of the National City Fire Insurance Company, which was granted by the corporation court of the city of Alexandria, on the 19th day of March, 1894, under sec-

tion 1145 of the Code of Virginia, and acts amendatory thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 218, A bill to repeal the charter of the Potomac Insurance Company, of Alexandria, Va., which was granted by the corporation court of the city of Alexandria on the 25th day of March, 1893, under section 1145 of the Code of Virginia, and acts amendatory thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 219, A bill to repeal the charter of the Farmers and Mechanics Insurance Company of Alexandria, Va., which was granted by the judge of the corporation court of the city of Alexandria on the 29th day of March, 1892, under section 1145 of the Code of Virginia, and acts amendatory thereof; which, on his motion, was read the first time, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 220, A bill to repeal the charter of the National Home Insurance Company of America, which was granted by the judge of the corporation court of the city of Alexandria on the 28th day of November, 1893, under section 1145 of the Code of Virginia, and acts amendatory thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 221, A bill to repeal the charter of the United Fire Insurance Company, which was granted by the judge of the corporation court of the city of Alexandria on the 2d day of April, 1894, under section 1145 of the Code of Virginia, and acts amendatory thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 222, A bill to repeal the charter of the Phoenix Fire and Marine Insurance Company of Alexandria, Va., which was granted by the judge of the corporation court of the city of Alexandria on the 26th day of March, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 223, A bill to repeal the charter of the Potomac Fire and Marine Insurance Company of Alexandria, Va., which was granted by the corporation court of the city of Alexandria on the 24th day of January, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 224, A bill to repeal the charter of the Old Dominion Fire Association of Alexandria, Va., which was granted by the judge of the circuit court of the city of Alexandria on the 6th day of November, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 225, A bill to repeal the charter of the Planters Insurance Company of Alexandria, Va., which was granted by the corporation court of the city of Alexandria on the 22d day of May, 1893, under section 1145 of the Code of Virginia, and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 226, A bill to repeal the charter of the Farmers and Mechanics Fire Insurance Company of Alexandria county, Va., which was granted by the judge of the circuit court of Alexandria county on January, 1895, under section 1145 of the Code of Virginia, and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 227, A bill to repeal the charter of the Monarch Fire Insurance Company of Alexandria county, Va., which was granted by the judge of the circuit court of Alexandria county on the 12th day of February, 1895, under section 1145 of the Code of Virginia, and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MAYNARD, by leave, presented

- ✓ No. 228, An act to incorporate the Norfolk, Willoughby Spit and Old Point Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MAYNARD, by leave, presented

- ✓ No. 229, A bill to amend the charter of the West Norfolk and Port Norfolk Drawbridge Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MAYNARD, by leave, presented

- ✓ No. 230, Senate bill to change the name of the Norfolk and Ocean View Railroad and Hotel Company to the Norfolk and Ocean View Railroad Company, and to amend and re-enact section 1 of chapter 166 of Acts of Assembly 1878-'79, entitled an act to incorporate the Norfolk and Ocean View Railroad and Hotel Company; which, on his motion, was read the first, ordered to be read a

second time, and referred to the committee on roads and internal navigation.

Mr. E. H. JACKSON, by leave, presented

- ✓ No. 231, Senate bill to give M. B. Richardson, treasurer of Warren county, power of levy and distress to collect certain uncollected tax tickets; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

- ✓ Mr. WITHERS, by leave, presented

No. 232, Senate bill to amend and re-enact section 2625 of the Code of Virginia in relation to how right of dower of insane wife may be passed same right in purchase money to be secured to her or compensation made; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WITHERS, by leave, presented

- ✓ No. 233, Senate bill to amend and re-enact section 10 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers, and condition upon which they are to be sold, and fixing the penalties incurred for violations of the same, approved February 24, 1890, as amended and re-enacted by an act entitled an act to amend and re-enact sections 2, 4, 6, and 10 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers, and the guarantee and condition upon which they are to be sold, and fixing the penalties incurred for violations of the same, approved March 9, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. WITHERS, by leave, presented

- ✓ No. 234, Senate bill to allow W. C. Chaney, deputy for John R. Whitehead, late treasurer of Pittsylvania county, additional time to levy for and collect tax tickets for years 1888-1889, 1890-1891, 1892 and 1893, held by said Chaney and not returned delinquent; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. TURNBULL, by leave, presented

- ✓ No. 235, Senate bill for the relief of R. M. Mallory, of Brunswick county, Va.; which, on his motion, was read the first, ordered to be read a second time, and referred to committee on finance and banks.

Mr. TURNBULL, by leave, presented

- ✓ No. 236, Senate bill to prescribe the rule which shall govern the appellate courts of Virginia in the granting of new trials in criminal cases; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. JONES, by leave, presented

- ✓ No. 237, Senate bill to provide a new charter for the town of Iron Gate; which, on his motion, was read the first, ordered to be

- ✓ read a second time, and referred to committee on county, city and town organizations.

Mr. JONES, by leave, presented

- ✓ No. 238, Senate bill extending further time to the town of Iron Gate for the collection of unpaid taxes due said town; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BARNES, by leave, presented

- ✓ No. 239, Senate bill to amend and re-enact section 2164 of the Code of Virginia in reference to when license to dredge oysters granted to residents, application therefor, as amended and re-enacted by act approved March 5th, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BARNES, by leave, presented

- ✓ No. 240, Senate bill to amend and re-enact section 1 of an act approved March 2d, 1894, entitled an act to protect fish in the Mattaponi, Pamunkey and York rivers, and to repeal the act approved March 3d, 1886, entitled an act to protect the fish in the Mattaponi and Pamunkey rivers; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. HAY, by leave, presented

- ✓ No. 241, Senate bill entitled an act to amend and re-enact section 4059 of the Code of Virginia with respect to appeals in civil and criminal cases; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. SANDS, by leave, presented

- ✓ No. 242, Senate bill to authorize Fairfield school district, in the county of Henrico, to issue bonds for the payment of a building for a graded school; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), was placed on the calendar.

Mr. TURNBULL, by leave, presented

- ✓ No. 243, Senate bill to require the clerks of the circuit courts for the several counties in this State to keep their offices open for the transaction of business; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. LOWRY offered the following:

- ✓ Resolved, That the committee on finance and banks be requested to enquire into and report what legislation, if any, is necessary to make the present law in regard to tax on income more efficient, and report by bill or otherwise.

Which was agreed to.

Mr. LOWRY offered the following joint resolution:

- ✓ Resolved by the Senate (the House of Delegates concurring), That

the auditor of public accounts be requested to furnish to the General Assembly a statement showing the amount paid to each of the attorneys for the commonwealth for the fiscal year ending 30th September, 1895, on account of fees allowed by law for the prosecution of persons charged with criminal offenses.

Which, under the rules, lies over.

✓ No. 169, Senate bill to amend the charter of the Newport News Ship-building and Dry Dock Company, by amending and re-enacting section 2 of chapter 51 of Acts of Assembly 1885-'86, entitled an act to incorporate the Chesapeake Dry Dock and Construction Company, as amended and re-enacted by chapter 22, Acts of Assembly 1891-'92, entitled an act to amend the charter of the Newport News Ship-building and Dry Dock Company, by amending and re-enacting section 2 of chapter 51 of Acts of Assembly 1885-'86, entitled an act to incorporate the Chesapeake Dry Dock and Construction Company in section 4 of chapter 51 of Acts of Assembly 1885-'86, entitled an act to incorporate the Chesapeake Dry Dock and Construction Company, as amended and re-enacted by chapter 235, Acts of Assembly 1889-'90, entitled an act to change the name of the Chesapeake Dry Dock and Construction Company to Newport News Ship-building and Dry Dock Company, and to amend and re-enact sections 1, 4, 6, 7, and 8 of chapter 51 of Acts of Assembly 1885-'86, entitled an act to incorporate the Chesapeake Dry Dock and Construction Company, approved December, 22, 1891, so as to authorize said Newport News Ship-building and Dry Dock Company to increase its capital stock, provided said capital stock shall not exceed in the aggregate six millions of dollars; which, on motion of Mr. WICKHAM, was read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, was, upon his further motion (two-thirds concurring), read the third time and passed with its title.

✓ No. 11, House bill entitled an act to prohibit horses, mules, and colts from running at large upon the public roads of the county of Accomac; which, on motion of Mr. LECATO, was taken up, read the third time, and passed with its title.

✓ A message from the House of Delegates was received by Mr. DIGGS, who informed the Senate that that House had agreed to a joint resolution requiring the keeper of the rolls to keep all accounts of public funds paid out by the treasury, so that they can be reported in the general appropriation bill, etc.

✓ No. 83, Senate bill to amend and re-enact section 5 of an act approved March 8, 1875, entitled an act to incorporate the town of Glade Springs, in Washington county; which, on motion of Mr. BUCHANAN, was read the second time, and ordered to be engrossed.

✓ The special order for 1 P. M. to-day (No. 89, Senate bill to prevent the extermination of partridges in the State of Virginia) was taken up, and Mr. WICKHAM proposed the following amendment: Strike out in section 1, "two years," and insert "1st day of December, 1897," which was rejected by a recorded vote as follows:

AYES—Messrs. Barnes, Boykin, Claytor, Echols, Flood, G. W. Jackson, Jordan, LeCato, Mason, Maynard, Mushbach, Parr, Sands, Southall, Stubbs, Tredway, and Wickham—17.

NOES—Messrs. Brown, Buchanan, Clement, Fairfax, Flanagan, Green, Hale, Hay, E. H. Jackson, Jones, Keezell, Little, Lovenstein, Lowry, Morris, Snead, St. Clair, Turnbull, Williams, and Withers—20.

Mr. FLOOD proposed the following amendment: "But nothing herein shall apply to the counties of Appomattox, Charlotte, Mecklenburg, King William, New Kent, Charles City, James City, York, Warwick, Elizabeth City, Pittsylvania, Halifax, Henry, Scott, Accomac, Northampton, Gloucester, Mathews, Middlesex, Essex, King and Queen, Norfolk, Princess Anne, Sussex, King George, Isle of Wight, Southampton, and Nansemond, which was rejected by a recorded vote as follows:

AYES—Messrs. Barnes, Boykin, Flood, G. W. Jackson, Jordan, LeCato, Mason, Maynard, Snead, Stubbs, Tredway, and Williams—12.

NOES—Messrs. Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Green, Hale, Hay, E. H. Jackson, Jones, Keezell, Little, Lovenstein, Lowry, Morris, Mushbach, Sands, Southall, St. Clair, Turnbull, Wickham, and Withers—23.

The vote recurring on the amendments proposed by the committee on fish and game, and also by Mr. BUCHANAN, was agreed to, and the bill as amended ordered to be engrossed.

The following resolution, with the committee's report, was adopted as follows:

Whereas, from the annual report of the auditor of public accounts, for the year ending September 30, 1895, only \$247,140 worth of "boats, or other water crafts, under five tons burthen, with their tackle, rigging and furniture, and all else that pertains to them," assessed for taxation; and only \$318,994 worth of "all ships, tug boats, barges, boats, or other water crafts of five tons burthen and over, with their tackle, rigging and furniture, and all else that pertains to them, and all other floating property owned by others than express, steamship, or steamboat companies," assessed for taxation; now, therefore,

Resolved, That the committee on finance and banks be directed to investigate whether the above assessments are correct, and make their report to the Senate.

The committee on finance and banks reports that the assessment of boats and other water crafts, etc., in the resolution mentioned, is correct, but that it appears that there are a large number of such subjects of taxation not assessed which should be; and legislation to that effect should be enacted.

No. 140, Senate bill to prevent the escape of persons committed to the custody of the Prison Association of Virginia, on motion of Mr. JONES, was recommitted to the committee on county, city and town organizations.

On motion of Mr. LITTLE, the Senate adjourned until to-morrow, 12 o'clock.

THURSDAY, JANUARY 9, 1896.

Mr. LOVENSTEIN, President *pro tempore*, in the chair.

Prayer by Rev. Robt. P. Kerr, D. D.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk, was read as follows:

In House of Delegates, January 8, 1896.

✓ The House of Delegates has passed Senate bill entitled an act to amend the charter of the Newport News Ship-building and Dry Dock Company, by amending and re-enacting section 2 of chapter 51, of Acts of Assembly, 1885-'86, entitled "An act to incorporate the Chesapeake Dry Dock and Construction Company," as amended and re-enacted by chapter 22, Acts of Assembly, 1891-'92, entitled "An act to amend the charter of the Newport News Ship-building and Dry Dock Company, by amending and re-enacting section 2 of chapter 51 of Acts of Assembly, 1885-'86, entitled an act to incorporate the Chesapeake Dry Dock and Construction Company, and section 4 of chapter 51 of Acts of Assembly, 1885-'86, entitled an act to incorporate the Chesapeake Dry Dock and Construction Company, as amended and re-enacted by chapter 235, Acts of Assembly, 1889-'90, entitled an act to change the name of the Chesapeake Dry Dock and Construction Company to Newport News Ship-building and Dry Dock Company, and to amend and re-enact sections 1, 4, 6, 7, and 8 of chapter 51 of Acts of Assembly 1885-'86, entitled an act to incorporate the Chesapeake Dry Dock and Construction Company," approved December 22, 1891, so as to authorize said Newport News Ship-building and Dry Dock Company to increase its capital stock, provided said capital stock shall not exceed in the aggregate six millions of dollars, No. 169.

✓ They have passed with an amendment Senate bill entitled an act to amend and re-enact section 3191 of the Code of Virginia, as amended and re-enacted by an act approved February 2, 1892, entitled an act to amend and re-enact section 3191 of the Code of Virginia, relating to the licensing of persons to practice law in this State, No. 68.

In which amendment they request the concurrence of the Senate.

✓ No. 68, Senate bill entitled an act to amend and re-enact section 3191 of the Code of Virginia, as amended and re enacted by an act approved February 2, 1892, entitled an act to amend and re-enact section 3191 of the Code of Virginia, relating to the licensing of persons to practice law in this State, was taken up, and the amendment proposed by the House of Delegates was agreed to; and, on motion, Mr. McILWAIN informed the House of Delegates thereof.

Mr. SOUTHALL, by leave, presented

No. 244, A bill for the relief of A. D. Watkins and S. W. Wat-

kins; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. SOUTHALL, by leave, presented

✓ No. 245, A bill for the relief of E. B. Lee; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. ECHOLS, by leave, presented

✓ No. 246, A bill to authorize the city of Staunton to condemn the right of way through the grounds of the Virginia Female Institute in the said city of Staunton for the extension of Baldwin street; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

✓ Mr. FLANAGAN, by leave, presented

✓ No. 247, A bill to provide for the proper registration of elections, and the proper conduct and return of all elections; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

✓ Mr. MORRIS, by leave, presented

✓ No. 248, A bill to incorporate the Sabine Development Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

✓ Mr. JONES, by leave, presented

✓ No. 249, A bill to amend and re-enact an act entitled an act to amend and re-enact section 3044 of the Code of Virginia, in relation to the counties and districts of county court judges, approved December 21, 1891; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. JORDAN, by leave, presented

✓ No. 250, A bill to incorporate the True Friends Aid Society; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws

✓ Mr. PARR, by leave, presented

✓ No. 251, A bill to authorize Thomas W. Shelton, deputy treasurer of Patrick county, to collect taxes due for the year 1892; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. PARR, by leave, presented

✓ No. 252, A bill to amend section 3780 of the Code of Virginia, relative to carrying concealed or unconcealed weapons; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. ST. CLAIR, by leave, presented

✓ No. 253, A bill requiring statements of their financial condition from Mutual Benefit Associations or Companies to the auditor of public accounts; which, on his motion, was read the first, ordered

to be read a second time, and referred to the committee on finance and banks.

✓ Mr. McILWAINE, by leave, presented

- ✓ No. 254, A bill authorizing the purchasers of the railroads and property of the Norfolk and Western Railroad Company, sold by foreclosure of a deed of trust or mortgage thereon, to become and be a corporation, to adopt a name therefor, and to possess and exercise general and other powers; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

✓ Mr. MUSHBACH (by request), by leave, presented

- ✓ No. 255, A bill to authorize the qualified voters of Alexandria county to vote on the question of the removal of the courthouse from Alexandria city to some point within Alexandria county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

✓ Mr. LOWRY, by leave, presented

- ✓ No. 256, A bill to amend and re enact section 2660, Code of Virginia, fixing the order in which debts of decedent are to be paid; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. TURNBULL (by request), by leave, presented

- ✓ No. 257, A bill to amend and re-enact an act to authorize the county of Powhatan to change the form of the bonds subscribed to Farnville and Powhatan Railroad Company, approved December 19, 1889, and to amend the same so as to allow the board of supervisors of said county to refund the conditional bonds and the interest due thereon; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

✓ Mr. TURNBULL, by leave, presented

- ✓ No. 258, A bill to provide counsel for poor persons who may be prosecuted for offences punishable with death; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. TURNBULL, by leave, presented

- ✓ No. 259, A bill to incorporate the Chesterfield Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

✓ Mr. TURNBULL, by leave, presented

- ✓ No. 260, A bill to authorize the board of supervisors of the county of Lunenburg to employ and pay counsel; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

✓ Mr. WITHERS, by leave, presented

- ✓ No. 261, A bill to repeal section 3433, Code of Virginia, requir-

ing clerks of circuit and corporation courts to file in papers of cause copies of decrees and orders made therein, after noting, comparing, and marking them, their fees; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. WITHERS (by request), by leave, presented

✓ No. 262, A bill to provide insurance against fire by municipalities in Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. TREDWAY, from the committee on fish and game, reported without amendment,

✓ No. 204, Senate bill to repeal chapter 209, Acts of Assembly 1893-'94, for the protection of fish in Roanoke county.

✓ House joint resolution instructing the keeper of the rolls to keep a memorandum of bills and joint resolutions appropriating money, &c., was taken up; and on motion of Mr. JONES, referred to the committee on finance and banks.

✓ Mr. LOWRY presented the following joint resolution :

Resolved by the Senate (the House of Delegates concurring), That the auditor of public accounts be requested to furnish to the General Assembly a statement showing the amount paid to each of the attorneys for the commonwealth for the fiscal year ending 30th September, 1895, on account of fees allowed by law for the prosecution of persons charged with criminal offences; which, on his motion, was agreed to, and he directed to inform the House of Delegates thereof.

Mr. TREDWAY, from the committee on fish and game, reported No. 204, Senate bill to repeal chapter 209 Acts of Assembly, 1893-'94, for the protection of fish in Roanoke county.

✓ Mr. LECATO asked indefinite leave of absence for Mr. GREEN, which was granted.

✓ Mr. STUBBS presented a resolution in reference to the meeting of "Wright-Latane Camp of Confederate Veterans;" which, on his motion, was referred to the committee on public institutions and education.

✓ Mr. CLAYTOR presented a resolution asking for a special committee to report in reference to the bonds of public officers; which, on motion of Mr. JONES, was referred to the committee on finance and banks.

The following Senate bills were taken up, read the third time, and passed with their titles.

✓ No. 83, Senate bill to amend and re-enact section 5 of an act approved March 8, 1875, entitled an act to incorporate the town of Glade Springs in Washington county.

✓ No. 89, Senate bill to prevent the extermination of partridges (or quail) in the State of Virginia.

✓ No. 95, Senate bill to incorporate the United Land and Investment Company, was taken up, read the second time, and the amend-

ments proposed by the committee agreed to, and the bill as amended was ordered to be engrossed and read a third time.

✓ No. 128, Senate bill to incorporate the Danville and Riverside Railway Company, was taken up, read the second time, and the amendments proposed by the committee agreed to, and the bill as amended ordered to be engrossed and read a third time; and being forthwith engrossed, was, on motion of Mr. WITHERS (two-thirds concurring), read the third time, and passed with its title.

✓ No. 143, Senate bill to amend and re-enact section 11 of an act of General Assembly, approved January 24, 1894, entitled an act to incorporate the Richmond, Gayton and Southside Railroad Company, approved January 26, 1892, was taken up, read the second time, and the amendments proposed by the committee agreed to, and the bill as amended ordered to be engrossed and read a third time; and being forthwith engrossed, was, on motion of Mr. SANDS, (two-thirds concurring), read the third time and passed with its title.

✓ No. 160, Senate bill to permit Dr. W. M. Chatham to practice dentistry in Virginia, was taken up, read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. STUBBS (two-thirds concurring), read the third time and passed with its title

No. 163, Senate bill to amend and re-enact section 1145 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 1145 of the Code of Virginia as to how certain charters of incorporation granted, altered or amended by the circuit or corporation courts, and where to be recorded; validating all charters to build and operate railroads heretofore granted by a circuit or corporation court, but forbidding said courts to grant such charters in the future, approved February 20, 1892, was taken up, read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. MUSHBACH (two-thirds concurring), read the third time and passed with its title; and, on his further motion, the title was amended so as to read as follows: To amend and re-enact section 1145 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 1145 of the Code of Virginia as to how certain charters of incorporation granted, altered or amended by the circuit or corporation courts, and where to be recorded; validating all charters to build and operate railroads heretofore granted by a circuit or corporation court, but forbidding said courts to grant such charters in the future, approved February 20, 1892, so as to forbid courts and judges to grant charters of incorporation to fire insurance companies or life insurance companies.

✓ No. 167, Senate bill to incorporate the Portsmouth and Pinner's Point Drawbridge Company, was taken up, read the second time, and the amendments proposed by the committee agreed to; and the bill as amended was ordered to be engrossed and read a third time.

No. 181, Senate bill to incorporate the Virginian Securities Com-

pany, was taken up; read the second time, and ordered to be engrossed and read a third time.

✓ No. 242, Senate bill to authorize Fairfield School district, in the county of Henrico, to issue bonds for the payment of a building for a graded school, was taken up, read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. SANDS (two-thirds concurring), read the third time, and passed with its title.

✓ No. 150, Senate bill to incorporate the Mineral Belt Railway and Tramway Company, was taken up, read the second time, and ordered to be engrossed and read a third time.

A message was received from the governor by his private secretary, as follows:

GOVERNOR'S OFFICE,
RICHMOND, VA., January 9, 1896.

✓ *To the General Assembly of Virginia:*

It becomes my painful duty to inform you that it has been certified to me by the clerks of the county courts of Warwick and Elizabeth City counties, that the Hon. George M. Peak, the able and learned judge of said courts, departed this life on Tuesday, the 7th day of January, 1896, thereby creating a vacancy in the judgeship of said courts.

I further communicate to you the fact that I have designated Hon. George R. Atkinson, judge of the county court of Isle of Wight county, to hold the January term (1896) of the county court of Elizabeth City county; and further, other regular terms thereof until the said vacancy shall have been filled.

CHAS. T. O'FERRALL.

GOVERNOR'S OFFICE,
RICHMOND, VA., January 9, 1896.

To the General Assembly of Virginia:

I am in receipt of a communication as follows:

BRISTOL, VA., January 7, 1896.

"*To His Excellency, CHARLES T. O'FERRALL,*
Governor of Virginia:

I hereby tender my resignation as judge of the corporation court for the city of Bristol, to take effect the 31st day of January, 1896.

Respectfully,

[Signed] WILLIAM F. RHEA."

Which I lay before you, in order that the vacancy thereby created may be filled at your pleasure.

CHAS. T. O'FERRALL.

Which was laid on the table and ordered to be printed.

On motion of Mr. McILWAINE, the Senate adjourned until to-morrow, twelve o'clock.

FRIDAY, JANUARY 10, 1896.

Mr. JONES in the chair.

Prayer by Rev. Robert P. Kerr, D. D.

A communication from the House of Delegates by their clerk was read as follows:

In the House of Delegates, January 9, 1896.

✓ The House of Delegates have agreed to the amendment in the nature of a substitute of the Senate to House bill entitled an act to amend and re enact an act approved January 31, 1894, entitled an act to amend and re enact sections 1, 2, 5 and 8 of an act entitled an act to incorporate the Potomac and Great Falls Railroad Company, approved January 26th, 1892, No. 53.

✓ They have passed Senate bill entitled an act to amend and re-enact an act entitled an act to incorporate the Bridgewater Construction Company, approved January 22d, 1894, No. 2.

✓ They have passed Senate bill entitled an act to incorporate the Virginia Mineral Railway Company, No. 70, with an amendment.

✓ They have agreed to the resolution of the Senate requesting the auditor of public accounts to furnish a statement showing the amount paid to each of the attorneys of the commonwealth for the fiscal year ending September 30th, 1895, with an amendment.

✓ They have passed House bills entitled an act to amend and re-enact an act entitled an act to amend and re-enact section 1916 of the Code in relation to the duties of the sealer of weights and measures, approved February 9th, 1892, No. 40; an act to amend and re-enact section 18 of an act entitled an act to provide a charter for the city of Buena Vista, approved February 15th, 1892, No. 45; an act to require the judges of courts and the clerks to certify to the treasurer list of all allowances made by courts, No. 64; an act to provide for the disposition of the body of a person upon whom sentence of death for crime has been executed where said body is claimed by certain relations of the deceased, No. 66; an act to incorporate the Norfolk Electric Light and Power Company, No. 69; an act to protect deer, partridges (or quail), song birds, wild turkeys, squirrels, hares and wild ducks in the county of King William, No. 70; an act for the protection of quail (or partridges), and to prevent the destruction of their nests or eggs in the county of Hanover, No. 71; an act to authorize the treasurer of the county of Hanover to return to citizens of said county the amount paid by each, respectively, on account of the dog tax levied by the board of supervisors under act approved March 5, 1894, No. 72; an act to repeal an act entitled an act for the protection of sheep in Amherst county, No. 73; an act to amend and re-enact section 7 of an act entitled an act to incorporate the Virginia State Agricultural and Mechanical Society, No. 77; and an act for the relief of the taxpayers of King William

county, providing that the penalty of five per centum shall not be added till the 1st day of February, 1896, No. 80.

In which amendments and bills they request the concurrence of the Senate.

No. 70, Senate bill entitled an act to incorporate the Virginia Mineral Railway Company was taken up, and the amendment proposed by the House of Delegates agreed to.

✓ No. 40, House bill entitled an act to amend and re-enact an act entitled an act to amend and re-enact section 1916 of the Code, in relation to the duties of the sealer of weights and measures, approved February 9th, 1892, was taken up, twice read, and referred to the committee on general laws.

✓ No. 45, House bill entitled an act to amend and re-enact section 18 of an act entitled an act to provide a charter for the city of Buena Vista, approved February 15th, 1892, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 64, House bill entitled an act to require the judges of courts and the clerks to certify to the treasurer list of all allowances made by courts, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 66, House bill entitled an act to provide for the disposition of the body of a person, upon whom sentence of death for crime has been executed, when said body is claimed by certain relations of the deceased, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 69, House bill entitled an act to incorporate the Norfolk Electric Light and Power Company, was taken up, twice read, and referred to the committee on general laws.

✓ No. 70, House bill entitled an act to protect deer, partridges (quail), song birds, wild turkeys, squirrels, hares and wild ducks in the county of King William, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 71, House bill entitled an act for the protection of partridges (or quail) and to prevent the destruction of their nests in the counties of Hanover and Caroline until the 1st day of December, 1896, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 72, House bill entitled an act to authorize the treasurer of the county of Hanover to return to citizens of said county the amount paid by each respectively on account of the dog tax levied by the board of supervisors under act approved 5th March, 1894, was taken up, twice read, and, on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.

✓ No. 73, House bill entitled an act to repeal an act entitled an act for the protection of sheep in Amherst county, approved March 2,

1894, was taken up, twice read, and referred to the committee on county, city and town organizations.

- ✓ No. 77, House bill entitled an act to amend and re-enact section 7 of an act entitled an act to incorporate the Virginia State Agricultural and Mechanical Society, approved February 8, 1888, was taken up, twice read, and, on motion of Mr. SANDS (the rules being suspended therefor), placed on the calendar.

- ✓ No. 80, House bill entitled an act for the relief of tax-payers of King William county, providing that the penalty of five per centum shall not be added till the 1st day of February, 1896, was taken up, twice read, and, on motion of Mr. STUBBS (the rules being suspended therefor), placed on the calendar.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment,

- ✓ No. 275, A bill to enable the rector and visitors of the University of Virginia to repair the loss sustained by that institution by the fire of October 27th, 1895, was taken up, twice read, and, on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.

He, from the same committee, reported, asking that this committee be relieved and that this bill be referred to the joint committee on criminal expenses.

- ✓ No. 118, Senate bill entitled an act to fix the compensation of attorneys for the commonwealth, was taken up and the recommendation of the committee agreed to.

He, from the same committee, reported without amendment,

- ✓ No. 146, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 622 of the Code of Virginia, in reference to the property that may be distrained for taxes, approved January 15, 1890, approved March 2, 1894.

He, from the same committee, reported with amendments,

- ✓ No. 151, Senate bill to amend and re-enact section 848 of the Code of Virginia as amended and re-enacted by an act entitled "An act to amend section 848 of the Code of Virginia in relation to compensation of supervisors," approved February 26, 1894.

He, from the same committee, reported without amendment,

- ✓ No. 231, Senate bill to give M. C. Richardson, Treasurer of Warren county, power of levy and distress to collect certain uncollected tax tickets.

And he, from the same committee, reported with amendments,

- ✓ No. 238, Senate bill extending further time to the town of Iron Gate for the collection of unpaid taxes due said town.

Mr. STUBBS, from the committee on public institutions and education, reported without amendment,

- ✓ No. 190, Senate bill to incorporate the "King's Daughters' Hospital of Staunton, Virginia."

Mr. MUSHBACH, from the committee on county, city, and town organizations, reported without amendment,

✓ No. 260, Senate bill to authorize the board of supervisors of the county of Lunenburg to employ and pay counsel.

✓ The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. MUSHBACH (two-thirds concurring), read the third time, and passed with its title.

Mr. MUSHBACH, from the committee on county, city, and town organizations, reported without amendment,

✓ No. 189, Senate bill to incorporate the city of Newport News, in the county of Warwick, and to provide a charter therefor.

✓ The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. MUSHBACH (two thirds concurring), read the third time, and passed with its title.

✓ Mr. KEEZELL, from the special committee on printing, made the following report, which was agreed to :

The committee on printing, to which was referred the following resolution :
 " Resolved, That the Public Printer be required to furnish the Senate with information as to why the cost of printing private bills is from twenty to thirty per cent. higher than during last session, and why there are so many errors in the printing of public bills," and the answer of the Superintendent of Public Printing to said resolution, beg leave to report that, in the judgment of the committee, the session acts of extra session, 1887, should be so amended as to require the Superintendent of Public Printing to take such supervision of the printing of private bills as shall secure such work at or as nearly the contract price for public bills as possible, without liability to the State for said printing, and to this end report the accompanying bill, amending section 14, chapter 377, Acts extra session, 1887.

✓ The charges for private bills, from the evidence before your committee, is from twenty-five to forty per cent. greater than for public work of a similar character, which, in the judgment of your committee, is excessive. The answer of the Superintendent of Public Printing to the resolution of the Senate disclaims any responsibility upon him for the price charged or manner of printing private bills, and refers to section 14 of chapter 377 of Acts Extra Session, 1887, in support of his position—which section seems to justify the position he takes. He disclaims responsibility for the character of the execution of the work by the present contractor for printing Senate bills, the contract having been awarded over him and against his protest by the Board of Appeal. In this contention the committee does not concur with the Superintendent of Public Printing—section 13 of chapter 377 of Acts Extra Session, 1887, giving him full authority to act, and making it his duty so to do, whenever complaint comes to him from any officer or department of unsatisfactory work, whether the contract for such work was awarded by him, the Board of Appeal, or the joint committee of the two houses.

GEO. B. KEEZELL,
Chairman Committee on Printing.

Mr. KEEZELL, from committee, presented

✓ No. 263, A bill to amend and re-enact 14th section of an act entitled an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing, and to repeal chapter 185 of the Acts of Assembly of 1879-'80; which, on his motion, was read the first, ordered to be read a second time, and placed on the calendar.

Mr. MAYNARD, by leave, presented

✓ No. 264. A bill to provide police protection at race-courses, fair-

grounds, base-ball, and foot-ball parks, and other athletic sports ; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BOYKIN, by leave, presented

- ✓ No. 265, A bill to empower George Booker to erect a pavilion in Hampton Roads, in the county of Elizabeth City, and to connect the same by a bridge or walkway with the Sherwood Hotel, in said county ; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BUCHANAN, by leave, presented

- ✓ No. 266, A bill to amend and re enact section 8 of an act to establish a corporation court for the city of Bristol, in Washington county, as heretofore amended ; which, on his motion, was read the first, ordered to be read a second time ; and on his further motion (the rules being suspended), was placed on the calendar.

Mr. SANDS, by leave, presented

- ✓ No. 267, A bill to repeal the charter of the Provident Fire Insurance Company of Richmond, Va., which was granted by the judge of the circuit court of the city of Richmond, on the 21st day of November, 1893, under section 1145 of the Code of Virginia and amendatory acts ; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. SANDS, by leave, presented

- ✓ No. 268, A bill to repeal the charter of the Atlantic Fire Insurance Company of Richmond, Va., which was granted by the judge of the circuit court of the city of Richmond, on the 2d day of February, 1894, under section 1145 of the Code of Virginia and amendatory acts ; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. SANDS, by leave, presented

- ✓ No. 269, A bill to repeal the charter of the German-American Fire Insurance Company of Virginia, which was granted by the judge of the circuit court of the city of Richmond, on the 7th day of July, 1892, under section 1145 of the Code of Virginia and amendatory acts ; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. TURNBULL, by leave, presented

- ✓ No. 270, A bill to amend and re-enact an act entitled "An act to amend and re enact section 2042 of the Code of Virginia, in relation to trespass by cattle, and approved March 1, 1888" ; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MASON, by leave, presented.

- ✓ No. 271, A bill to amend and re-enact section 3046 of the Code of Virginia, relating to the jurisdiction of county courts ; which,

on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. WITHERS, by leave, presented,

✓ No. 272, A bill to allow B. M. Clement, Deputy for J. R. Whitehead, late treasurer of Pittsylvania county, further time to distrain, levy for, and collect certain tax tickets for which he has accounted to the State; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. WITHERS, by leave, presented,

✓ No. 273, A bill for the relief of V. W. Gibson, a disabled Confederate soldier; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. SANDS, by leave, presented

✓ No. 274, A bill to incorporate the town of "Barton Heights," in the county of Henrico; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. WICKHAM, from committee on finance and banks, presented

✓ No. 275, A bill to enable the rector and visitors of the University of Virginia to repair the loss sustained by that institution by the fire of October 27th, 1895; which, on his motion, was read the first, ordered to be read a second time, and was placed on the calendar.

Mr. SANDS, for Mr. JONES, from the committee for courts of justice, reported with amendments,

✓ No. 72, Senate bill to amend and re-enact section 605, Code of Virginia, 1887, entitled treasurers to return lists of uncollected taxes and delinquents.

He, from the same committee, reported with amendments,

✓ No. 73, Senate bill to amend and re-enact section 833, Code of Virginia, 1887, entitled powers and duties of board at annual meeting.

He, from the same committee, reported with amendments,

✓ No. 74, Senate bill to amend and re-enact section 862, Code of Virginia, 1887, entitled treasurers annual settlement with the supervisors to deliver books, &c., to successor.

He, from the same committee, reported with amendments,

✓ No. 78, Senate bill to amend and re-enact section 2823 of chapter 130 of the Code of Virginia, 1887, in relation to interest.

He, from the same committee, reported with a substitute,

✓ No. 93, Senate bill to amend section 2475 of the Code of Virginia with reference to lien for work done and materials furnished by artisans, mechanics, lumber dealers, and others.

He, from the same committee, reported with a substitute,

✓ No. 92, Senate bill to amend and re-enact section 2476 of the Code of 1887 relative to the perfection of lien by general contractors for the better protection of mechanics.

✓ He, from the same committee, reported without amendment,
No. 132, Senate bill requiring list of all allowances against the Commonwealth, other than allowances to jurors and witnesses made at any term of a court of the Commonwealth, to be certified by the judge of the court and the clerk thereof, and transmitted to the auditor of public accounts immediately upon the adjournment of each term of a court of the Commonwealth.

✓ He, from the same committee, reported with an amendment,
No. 133, Senate bill to amend and re enact section 3164 of the Code of Virginia in reference to allowances to jurors, and requiring lists certified by the judge of the court and clerk thereof to be sent to the treasurer of the county or corporation and to the auditor of public accounts immediately after the adjournment of any court.

✓ He, from the same committee, reported with an amendment,
No. 134, Senate bill to amend and re-enact sections 3549 and 3550 of the Code of Virginia in reference to allowance to witnesses; how and by whom entered; by whom and upon what certificate paid, and requiring lists certified by the judge of the court and the clerk thereof, of all allowances made witnesses on behalf of the Commonwealth, to be sent to the treasurer of the county or city and to the auditor of public accounts immediately after the adjournment of any court.

✓ He, from the same committee, reported without amendment,
No. 176, Senate bill to amend and re-enact section 3428 of the Code of Virginia in relation to power of judge in vacation to enforce obedience to decree and orders.

✓ He, from the same committee, reported without amendments,
No. 177, Senate bill to amend and re-enact section 3427 of the Code of Virginia in relation to how a chancery cause submitted for decision in vacation; how the decree certified and entered; its effect.

✓ He, from the same committee, reported without amendment,
No. 178, Senate bill to amend and re-enact section 3426 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 3426 of the Code of Virginia, in relation to interlocutory decrees and orders, approved February 12, 1894.

✓ And he, from the same committee, reported with an amendment,
No. 232, Senate bill to amend and re enact section 2625 of the Code of Virginia, in relation to how right of dower of insane wife may be passed, same right in purchase money to be secured to her or compensation made.

✓ Mr. FLANAGAN presented two petitions from the citizens of Powhatan county, asking for the repeal of certain legislation in reference to certain bonds of that county; which, on his motion, was referred to the committee on general laws.

✓ Mr. TREDWAY offered the following resolution:
Resolved, That one hundred additional copies of Senate bill No.

✓ 105, and the same number of Senate bill No. 113, in reference to insurance companies, be printed for the use of the Senate; which was agreed to.

✓ Mr. MUSHBACH presented the following joint resolution; which, on his motion (the rules being suspended therefor), was taken up, and agreed to; and, upon his further motion, he was ordered to communicate it to the House of Delegates and request their concurrence therein:

✓ Whereas the United States owns over 1,100 acres of land in Alexandria county upon which it pays no taxes, known as the Arlington Estate, on a part of which is situated the National Cemetery and Fort Meyer, leaving about 800 acres of unimproved lands, making a dreary waste on the front and face of the county, thereby impeding the progress and prosperity of the same; and

✓ Whereas the people of said county believe that said large tract of land, in its present dilapidated condition, is detrimental to the advancement of the county's interests, and that if a bridge were constructed from the seat of the National Government to this estate, it would cause the beautifying and putting to some useful purpose this unused portion of said land: Now, therefore, be it

✓ Resolved by the Senate (the House of Delegates concurring), That the Senators and Representatives from this State, in the Congress of the United States, are hereby urged to exert every effort to secure the passage of a bill for the construction of a bridge from Washington City, in the District of Columbia, across the Potomac river, to the Arlington Reservation in Alexandria county, Va., and to urge the improvement and the putting to some useful purpose the unused portion of said estate.

The following Senate bills were taken up, read the third time,

✓ and passed with their titles:

✓ No. 95, Senate bill to incorporate the United Land and Improvement Company.

✓ No. 150, Senate bill to incorporate the Mineral Belt Railway and Tramway Company.

✓ No. 181, Senate bill to incorporate the Virginia Securities Company.

✓ No. 204, Senate bill to repeal chapter 209, Acts of Assembly, 1893-94, for the protection of fish in Roanoke county, was taken up, read a second time, and on motion of Mr. CLAYTOR (the rules being suspended therefor), was ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), read a third time and passed with its title, and he directed to communicate it to the House of Delegates and ask their concurrence therein.

On motion of Mr. McILWAINE, the Senate adjourned until tomorrow, twelve o'clock.

SATURDAY, JANUARY 11, 1896.

Mr. JONES in the chair.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk was read as follows:

In House of Delegates, January 10, 1896.

✓ The House of Delegates has passed House bills entitled an act designating the days and half-days to be observed as legal holidays, and for the payment, acceptance, and protesting of bills, notes, drafts, checks, and other negotiable paper on such days, No. 78; an act in relation to the New York, Philadelphia and Norfolk Railroad Company, No. 79; an act to authorize the principal of the Rappahannock Institute, of Rappahannock, Va., to confer certificates and diplomas in the various departments of instruction, and also to grant diplomas of graduation to pupils entitled thereto in said institute, and to own and use a seal, No. 81; an act to regulate the sale of goods marked "sterling," "sterling silver," "coin," or "coin silver," and to regulate the sale of articles of merchandise made of gold, No. 84; an act to amend and re-enact section 1480 of chapter 66, code of 1887, so as not to require teachers of public free schools to teach such schools on any day set apart as Thanksgiving day, Christmas day, Lee's birthday, and Washington's birthday, or made a holiday by either the State or Federal government, No. 85; an act to amend and re-enact section 1497 of the Code of 1887, providing for civil government to be taught in the public free schools, No. 86; and an act to change the name of the Norfolk and Ocean View Railroad and Hotel Company to Norfolk and Ocean View Railroad Company, and to amend and re-enact section 1 of chapter 166 of the acts of assembly of 1878-'79, entitled an act to incorporate the Norfolk and Ocean View Railroad and Hotel Company, No. 93.

In which bills they request the concurrence of the Senate.

✓ No. 78, House bill entitled an act designating the days and half-holidays to be observed as legal holidays, and for the payment of acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 79, House bill entitled an act in relation to the New York, Philadelphia and Norfolk Railroad Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 81, House bill entitled an act to authorize the principal of the Rappahannock Institute, of Rappahannock, Va., to confer certificates and diplomas in the various departments of instruction, and also to grant diplomas of graduation to pupils entitled thereto.

in said institute, and to own and use a seal, was taken up, twice read, and referred to the committee on public institutions and education.

✓ No. 84, House bill entitled an act to regulate the sale of goods marked "sterling," "sterling silver," or "coin silver," and to regulate the sale of merchandise made of gold, was taken up, twice read, and referred to the committee on general laws.

✓ No. 85, House bill entitled an act to amend and re-enact section 1480, chapter 66, Code of 1887, so as not to require teachers of public free schools to teach such schools on any day set apart as Thanksgiving day, Christmas day, Lee's birthday and Washington's birthday, or made a holiday by either the State or Federal government, was taken up, twice read, and referred to the committee on public institutions and education.

✓ No. 86, House bill entitled an act to amend and re-enact section 1497 of the Code of 1887, providing for civil government to be taught in the public free schools, was taken up, twice read, and referred to the committee on public institutions and education.

✓ No. 93, House bill entitled an act to change the name of the Norfolk and Ocean View Railroad and Hotel Company to Norfolk and Ocean View Railroad Company, and to amend and re-enact section 1 of chapter 166 of the Acts of Assembly of 1878-79, entitled an act to incorporate the Norfolk and Ocean View Railroad and Hotel Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

Mr. SANDS, for Mr. JONES, from the committee for courts of justice, reported with a substitute,

✓ No. 203, Senate bill to amend and re-enact section 2109 of the Code of Virginia.

Mr. SANDS, from the committee on general laws, reports with a substitute,

✓ No. 34, Senate bill to prohibit any insurance company or companies licensed in this State from issuing a policy or policies of insurance on any single risk for more than 10 per cent. of its capital stock; or, if a mutual company, for more than 5 per cent. of its cash assets, and providing the penalty for so doing.

And he, from the same committee, reports without amendment,

✓ No. 122, Senate bill to amend the charter of the Chesapeake Land and Improvement Company.

Mr. ECHOLS, from the committee on roads and internal navigation, reported without amendment,

✓ No. 254, Senate bill authorizing the purchasers of the railroads and property of the Norfolk and Western Railroad Company, sold by foreclosure of a deed of trust or mortgage thereon, to become and be a corporation, to adopt a name therefor, and to possess and exercise general and other powers.

✓ The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time.

✓ He, from the same committee, reported with an amendment, No. 43, House bill to amend and re-enact an act approved January 14th, 1892, entitled an act to incorporate the Empire Transportation Company.

✓ And he, from the same committee, reported without amendment, No. 57, House bill to amend and re-enact section 4 of the charter of the Norfolk and Atlantic Terminal Company.

Mr WICKHAM, from the committee on finance and banks, reported with an amendment,

✓ No. 159, Senate bill making it unlawful for insurance companies, not incorporated by the laws of the State of Virginia, but legally admitted to do business therein, to place or cause to be placed insurance on property in this State, in offices outside of the State, in violation of the tax laws of the State of Virginia; and prescribing penalties for violation of the same; and prescribing the duties and compensation of the auditor of public accounts in relation thereto; and providing for renewal of license privileges of companies doing business in this State.

✓ The bill was subsequently taken up, read the second time, and the committee's amendments disagreed to, and, on motion of Mr. KEZZELL, the bill was then amended and ordered to be engrossed, and, on his further motion (two-thirds concurring), was read a third time, and passed with its title.

And he, from the same committee, reported without amendment,

✓ No. 50, House bill to amend and re-enact section 100, chapter 244, of the Acts of Assembly, session of 1889-90, approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons and property, etc.

✓ Mr. JONES, by leave, presented

No. 276, A bill substitute for Senate bill No. 209, entitled a bill for the protection of cattle in the State of Virginia against contagious diseases; which, on his motion was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. TURNBULL, by leave, presented,

✓ No. 277, A bill to amend and re-enact sections 3527, 3528, 3529, 3530, 3532, and 3534 of chapter 172 of the Code of Virginia, in relation to payment of fees of officers out of public treasury in criminal cases, etc., and to repeal section 3526 of said chapter; which, on his motion, was read the first, ordered to be read a second time, and referred to the special committee on criminal expenses.

Mr. TREDWAY, by leave, presented,

✓ No. 278, A bill to authorize J. L. Saunders, Treasurer of Henry county, further time in which to collect taxes and county levies for the years 1890, 1891, 1892, 1893, and 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. WICKHAM, by leave presented,

No. 279, A bill to amend and reenact sections 197 and 198 of the Code of Virginia, relative to exemption of members of General Assembly from arrest or obedience to civil process of courts; which, on his motion was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. MAYNARD, by leave, presented

No. 280, A bill to authorize the appointment of a physician to the poor for the city of Portsmouth; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

✓ Mr. MAYNARD, by leave, presented,

No. 281, A bill to authorize the council of the city of Portsmouth to issue bonds for school purposes, for paving and grading streets, and for other general improvement in the fifth ward of said city; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

✓ Mr. WICKHAM, by leave, presented

No. 282, A bill to amend and re-enact an act to amend and re-enact sections 7, 17 and 18 of an act approved February 20, 1892, entitled an act to provide for the settlement of the public debt of Virginia, not funded under the provisions of an act to ascertain and declare Virginia's equitable share of the debt created before and actually existing at the time of the partition of her territory and resources, and to provide for the issuance of bonds covering the same, and the regular and prompt payment of interest thereon, approved February 14, 1882, and to provide for carrying the same into effect; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. BOYKIN, by leave, presented

No. 283, A bill to permit certain county officers of the county of Warwick, who have been named and designated in a bill to incorporate the city of Newport News in the county of Warwick, for the like offices for the city of Newport News, to serve as such until the first day of July, 1896, and until their successors are duly elected and qualified; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

✓ Mr. BARNES, by leave, presented

No. 284, A bill to amend and re-enact an act approved March 6, 1886, entitled act to authorize the judge of the county court of Warwick to appoint a quarantine officer at Newport News by placing the appointing power with the governor and defining the duties of said office, and adding thereto sections 2, 3, 4, 5, 6 and 7; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BUCHANAN, by leave, presented

✓ No. 285, A bill to amend and re-enact section 3058 of the Code of Virginia, in relation to the jurisdiction of circuit courts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. SOUTHALL, by leave, presented

✓ No. 286, A bill for the relief of W. H. Ewing, treasurer of Prince Edward county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. FLANAGAN, by leave, presented

Petition of Edward P. Hicks and other citizens and tax-payers of Powhatan county, praying for the repeal of certain acts of assembly; which, on his motion, was referred to the committee on general laws.

Mr. GREEN, by leave, presented

✓ Petition from citizens of the fifteenth judicial circuit, asking for an increase of salary to the judge of said district; which, on his motion, was referred to the committee on finance and banks

Mr. GREEN, by leave, presented

✓ Petition from citizens of the fifteenth judicial circuit, asking for an increase of salary to the judge of said district; which, on his motion, was referred to the committee on finance and banks.

The following House bills were taken up, read a third time, and passed with their titles.

✓ No. 72, House bill entitled act to authorize the treasurer of the county of Hanover to return to citizens of said county the amount paid by each respectively on account of the dog-tax levied by the board of supervisors under act approved 5th March, 1894.

✓ No. 77, House bill entitled an act to amend and re-enact section 7 of an act entitled an act to incorporate the Virginia State Agricultural and Mechanical Society, approved February 8, 1888.

✓ No. 80, House bill entitled an act for the relief of tax-payers of King William county, providing that the penalty of 5 per centum shall not be added till the first day of February, 1896, was taken up, and on motion of Mr. STUBBS, the bill was amended so as to read the first day of March, 1896; and as amended, upon his further motion (two-thirds concurring), was passed—ayes 31; noes none.

AYES—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, Jones, Jordan, Keezell, LeCato, Mason, McCune, McIlwaine, Morris, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—31.

And on his further motion, the bill as amended was passed with its title, and he directed to communicate it to the House of Delegates.

The following Senate bills were taken up, read a second time, committee's amendments in each agreed to, and ordered to be engrossed and read a third time:

- ✓ No. 78, Senate bill to amend and re-enact section 2823 of chapter 130 of the Code of Virginia, 1887, in relation to interest.
- ✓ No. 73, Senate bill to amend and re-enact section 833, Code of Virginia, 1887, entitled powers and duties of board at annual meeting.
- ✓ No. 74, Senate bill to amend and re-enact section 862, Code of Virginia, 1887, entitled treasurer's annual settlement with the supervisors; to deliver books, &c., to successors.
- ✓ No. 72, Senate bill to amend and re-enact section 605, Code of Virginia, 1887, entitled treasurers to return lists of uncollected taxes and delinquents.
- ✓ No. 133, To amend and re-enact section 3164 of the Code of Virginia in reference to allowances to jurors, and requiring lists, certified by the judge of the court and the clerk thereof, to be sent to the treasurer of the county or corporation and to the auditor of public accounts immediately after the adjournment of any court.
- ✓ No. 134, Senate bill to amend and re-enact sections 3549 and 3550 of the Code of Virginia in reference to allowance to witnesses; how and by whom entered; by whom and upon what certificate paid, and requiring lists, certified by the judge of the court and the clerk thereof, of all allowances made witnesses on behalf of the Commonwealth, to be sent to the treasurer of the county or city and to the auditor of public accounts immediately after the adjournment of any court.
- ✓ No. 238, Senate bill extending further time to the town of Iron Gate for the collection of unpaid taxes due said town.

The following Senate bills were taken up, read the second time, and ordered to be engrossed and read a third time.
- ✓ No. 232, Senate bill to amend and re-enact section 2625 of the Code of Virginia in relation to how right of dower of insane wife may be passed; same right in purchase-money to be secured to her or compensation made.
- ✓ No. 178, Senate bill to amend and re-enact section 3426 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 3426 of the Code of Virginia in relation to interlocutory decrees and orders, approved February 12, 1894.
- ✓ No. 177, Senate bill to amend and re-enact section 3427 of the Code of Virginia in relation to how a chancery cause submitted for decision in vacation; how the decree certified and entered; its effect.
- ✓ No. 176, Senate bill to amend and re-enact section 3428 of the Code of Virginia in relation to power of judge in vacation to enforce obedience to decrees and orders.
- ✓ No. 132, Senate bill requiring a list of all allowances against the Commonwealth, other than allowances to jurors and witnesses, made at any term of a court of the Commonwealth, to be certified by the judge of the court and clerk thereof, and transmitted to the auditor

of public accounts immediately upon the adjournment of each term of a court of the Commonwealth.

✓ No. 146, A bill to amend and re-enact an act entitled an act to amend and re-enact section 622 of the Code of Virginia, in reference to the property that may be distrained for taxes, approved January 15, 1890, approved March 2, 1894.

✓ No. 231, A bill to give M. C. Richardson, treasurer of Warren county, power of levy and distress to collect certain uncollected tax tickets.

✓ No. 190, A bill to incorporate the "King's Daughters' Hospital of Staunton, Va."

✓ No. 263, A bill to amend and re enact the 14th section of an act entitled an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the Superintendent of Public Printing, and to repeal chapter 185 of the Acts of Assembly of 1879-'80, approved May 23, 1887.

✓ No. 266, A bill to amend section 8 of an act to establish a corporation court for the city of Bristol, in Washington county, as heretofore amended.

✓ No. 92, A bill to amend and re enact section 2476 of the Code of 1887, relative to the perfection of lien by general contractor for the better protection of mechanics, was taken up, and on motion of Mr. KEEZELL, a substitute for the bill as follows was agreed to.

✓ No. 92, A bill to amend sections 2475 and 2476 of the Code of Virginia, with reference to lien for work done and materials furnished by artisans, mechanics, lumber dealers, and others; which, on his further motion, was ordered to be engrossed and read a third time.

✓ No. 93, Senate bill to amend section 2475 of the Code of Virginia, with reference to lien for work done and materials furnished by artisans, mechanics, lumber dealers, and others, was taken up, and on motion of Mr. KEEZELL, was indefinitely postponed.

✓ No. 151, A bill to amend and re-enact section 848 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend section 848 of the Code of Virginia, in relation to compensation of supervisors," approved February 26, 1894, was taken up, twice read, the committee's amendments agreed to, and ordered to be engrossed and read a third time; and being forthwith engrossed on his further motion (two-thirds concurring), was read the third time and passed with its title.

✓ On motion of Mr. SANDS, the vote by which the bill was ordered to be engrossed and passed was reconsidered and the bill passed by.

✓ No. 275, Senate bill to enable the rector and visitors of the University of Virginia to repair the loss sustained by that institution by the fire of October 27, 1895, was taken up, read the second time, and ordered to be engrossed.

On motion of Mr. WILLIAMS, the vote by which the bill was ordered to be engrossed was reconsidered—ayes, 18; noes, 14.

AYES—Messrs. Brown, Buchanan, Claytor, Clement, Flanagan, Green, Hale, Maynard, McCune, Mushbach, Parr, Snead, Southall, St. Clair, Tredway, Turnbull, Williams, and Withers—18.

NOES—Messrs. Barnes, Boykin, Echols, Fairfax, Flood, Hay, E. H. Jackson, Jones, Jordan, Keezell, McIlwaine, Morris, Sands, and Wickham—14.

Mr. WILLIAMS then offered the following amendment :

“ In section 4, line 1, strike out the word ten and insert the word five.”

Which was rejected by the following vote—ayes, 5 ; noes, 30.

AYES—Messrs. Flanagan, Hale, Parr, St. Clair, and Williams—5.

NOES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flood, Green, Hay, E. H. Jackson, Jones, Jordan, Keezell, LeCato, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Sands, Snead, Southall, Tredway, Turnbull, Wickham, and Withers—30.

- ✓ A message was received from the House of Delegates by Mr. POWELL, informing the Senate that that house had passed House bill No. 99, incorporating the town of Newport News.

On motion of Mr. FLOOD, the Senate adjourned until Monday, 12 o'clock.

MONDAY, JANUARY 13, 1896.

Mr. LOVENSTEIN, President *pro tempore*, in the chair.

Prayer by Rabbi Edward N. Calisch.

Journal of Saturday read by the clerk.

A communication from the House of Delegates by their clerk, was read as follows :

In House of Delegates, January 11, 1896.

- ✓ The House of Delegates has passed Senate bill entitled an act to authorize the board of supervisors of the county of Lunenburg to employ and pay counsel, No. 260.
- ✓ They have agreed to Senate joint resolution urging the senators and representatives from this State in Congress to exert every effort to secure the passage of a bill for the construction of a bridge from Washington city across the Potomac river to the Arlington reservation in Alexandria county, Va., and to urge the improvement and the putting to some useful purpose the unused portion of said estate.
- ✓ They have passed Senate bill entitled an act to amend and re-enact an act approved March 3, 1892, entitled an act to amend and re-enact section 2 of an act, passed by the General Assembly of

✓ Virginia, entitled an act to incorporate the Bland County Land Improvement, Development and Transportation Company, approved February 22, 1890, and to amend and re-enact section 4 of said act approved February 22, 1890, entitled an act to incorporate the Bland County Land Improvement, Development and Transportation Company, to amend, re-enact and change the title of said last named act, and to enlarge the powers of said company so that it may have and exercise all the rights, powers and privileges of a railway company, No. 179, with an amendment.

✓ They have passed House bills entitled an act to amend and re-enact a special revenue bill, approved February 22, 1890, No. 48; an act to incorporate the Norfolk, Willoughby Spit and Old Point Railroad Company, No. 96; an act to amend and re-enact section 12 of an act to incorporate the Metropolitan Western Railroad of Virginia, No. 97; an act to prescribe a fence law for a part of Curds-ville magisterial district, in the county of Buckingham, No. 100; an act to amend and re-enact section 90 of the charter of the city of Roanoke, No. 101; an act to enable the supervisors of Hanover county, if they deem it expedient, to construct a road from Chickahominy swamp between the Mechanicsville and the Richmond and Henrico turnpikes, to the city of Richmond, and to appropriate funds for that purpose out of the county levy of said county of Hanover, No. 102; an act to amend and re-enact section 4 of an act entitled an act to incorporate Chatham Female Episcopal Institute, approved February 24, 1894, in relation to the manner in which the property of the said Institute shall be used, held, conveyed and encumbered, No. 141.

In which amendment and bills they request the concurrence of the Senate.

✓ No. 179, Senate bill to amend and re-enact an act approved March 3, 1892, entitled an act to amend and re-enact section 2 of an act passed by the General Assembly of Virginia, entitled an act to incorporate the Bland County Land Improvement, Development and Transportation Company, approved February 22, 1890, and to amend and re-enact section 4 of said act approved February 22, 1890, entitled an act to incorporate the Bland County Land Improvement, Development and Transportation Company; to amend, re-enact and change the title of said last named act, and to enlarge the powers of said company so that it may have and exercise all the rights, powers and privileges of a railroad company, was taken up and amendment proposed by the House of Delegates agreed to, and the bill as amended was passed with its title.

✓ No. 48, House bill entitled an act to amend and re-enact a special revenue bill, approved February 22, 1890, was taken up, read the second time, and referred to the committee on finance and banks.

✓ No. 96, House bill entitled an act to incorporate the Norfolk, Willoughby Spit Old Point Railroad Company, was taken up, read

the second time, and referred to the committee on roads and internal navigation.

- ✓ No. 97, House bill entitled an act to amend and re-enact section 12 of an act to incorporate the Metropolitan Western Railroad of Virginia, approved February 4, 1890, as amended, etc., was taken up, read the second time, and referred to the committee on roads and internal navigation.

- ✓ No. 100, House bill entitled an act to prescribe a fence law for part of Curdsville Magisterial District, in the county of Buckingham, was taken up, read the second time, and referred to the committee on county, city and town organizations.

- ✓ No. 101, House bill entitled an act to amend and re-enact section 90 of the charter of the city of Roanoke, was taken up, read the second time, and referred to the committee on county, city and town organizations.

- ✓ No. 102, House bill entitled an act to enable the supervisors of Hanover county, if they deem it expedient, to construct a road from Chickahominy swamp, between the Mechanicsville and the Richmond and Henrico turnpikes, to the city of Richmond, and to appropriate funds for that purpose out of the county levy of said county of Hanover, was taken up, read the second time, and referred to the committee on county, city, and town organizations.

- ✓ No. 141, House bill entitled an act to amend and re-enact section 4 of an act entitled an act to incorporate the Chatham Female Episcopal Institute, approved February 24th, 1894, in relation to the manner in which the property of the said institute shall be used, held, conveyed and encumbered, was taken up, read the second time, and, on motion of Mr. TREDWAY (the rules being suspended therefor), placed on the calendar; and on his further motion (two-thirds concurring), was read the third time and passed with its title.

- ✓ Mr. LITTLE, by leave, presented

No. 287, Senate bill to incorporate the Sons and Daughters of Zion of the county of Louisa; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

- Mr. LITTLE, by leave, presented

- ✓ No. 288, Senate bill to repeal the charter of the First National Fire Insurance Company, of Fredericksburg, Va., which was granted by the judge of the corporation court of the city of Fredericksburg on the 22d day of July, 1893, under section 1145 of the Code of Virginia and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

- ✓ Mr. SOUTHWALL, by leave, presented

No. 289, Senate bill for the relief of the Farmville and Powhatan Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. JONES, by leave, presented

- ✓ No. 290, Senate bill to authorize Clifton School District, in the county of Alleghany, to borrow money not exceeding six thousand five hundred dollars, for the erection of a school building at Clifton Forge, in said county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. MAYNARD, by leave, presented

- ✓ No. 291, Senate bill to repeal the charter of the Old Dominion Fire Insurance Company, of Portsmouth, Va., which was granted by the judge of the court of hustings for the city of Portsmouth, on the 20th day of July, 1892, under section 1145 of the Code of Virginia and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. FLANAGAN, by leave, presented

- ✓ No. 292, Senate bill to repeal an act in relation to forms to be furnished clerks by the auditor of public accounts, approved March 5th, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. McCUNE, by leave, presented

- ✓ No. 293, Senate bill to enable the city of Winchester to accept the bequest of John Handley, deceased, to validate the same, and provide for the administration thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. STUBBS, by leave, presented

- ✓ No. 294, Senate bill to amend and re enact section 2699 of the Code of Virginia relating to the confirmation of reports of commissioners of accounts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. STUBBS, by leave, presented

- ✓ No. 295, Senate bill to provide the time and manner of granting licenses to persons working on the natural oyster rocks of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. TREDWAY, by leave, presented

- ✓ No. 296, Senate bill to amend and re-enact sections 452 and 454 of an act entitled an act to amend and re-enact the charter of the town of Martinsville, in the county of Henry, and approved March 3, 1892, so as to provide for the election of sergeant by the qualified voters of said town; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. WICKHAM, by leave, presented

No. 297, Senate bill to provide for the purchase and distribution

of Howard's Index to the Code of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. LECATO, by leave, presented

✓ No. 298, Senate bill to amend and re-enact section 2225 of the Code of Virginia relating to marriage within certain degrees; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. BUCHANAN, by leave, presented

✓ No. 299, Senate bill to incorporate the town of Saltville, and to repeal an act entitled an act to incorporate the town of Saltville, approved March 8th, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

✓ Mr. FLANAGAN, by leave, presented

A petition of James A. Callis and others, tax-payers of Powhatan county, praying for the repeal of certain acts of Assembly in relation to county bonds of that county; which, on his motion, was referred to the committee on general laws.

Mr. JONES, from the committee for courts of justice, reported without amendment,

✓ No. 25, Senate bill to amend and re-enact section 2919 of the Code as amended and re-enacted by an act approved February 29, 1888, in relation to the limitation of suits.

He, from the same committee, reported without amendment,

✓ No. 110, Senate bill to amend and re-enact sub-division seventh of section 3214 of the Code of Virginia as to the courts in which proceedings are commenced.

He, from the same committee, reported with a substitute,

✓ No. 158, Senate bill to amend and re-enact sections 2726 and 2728 of the Code of Virginia in relation to the action of ejectment.

He, from the same committee, reported without amendment,

✓ No. 210, Senate bill to amend and re-enact section 2275 of the Code of Virginia in relation to how dower may be assigned.

He, from the same committee, reported with an amendment,

✓ No. 214, Senate bill to amend sections 3501 and 3502 of the Code of Virginia in relation to fees of commissioners in chancery.

He, from the same committee, reported without amendment,

✓ No. 241, Senate bill entitled an act to amend and re-enact section 4059 of the Code of Virginia with respect to appeals in civil and criminal cases.

✓ He, from the same committee, reported without amendment,

No. 32, House bill to amend and re-enact section 2266 of the Code of Virginia in relation to when and how decree for divorce from bed and board may be revoked, or divorce from bond of matrimony granted.

And he, from the same committee, reported without amendment,

- ✓ No 34. House bill to amend and re-enact section 2216 of the Code of Virginia relating to the issuing of marriage licenses.
- ✓ The bill was subsequently taken up, and on motion of Mr. LECATO, was recommitted to the committee on general laws.
- On motion of Mr. JONES,
- ✓ Resolved by the Senate (the House of Delegates concurring), That the acts of the present session of the General Assembly, of a general nature, shall be printed separately in a volume to be bound in the same style in which the acts of previous sessions are bound, and that the acts not of such general character, shall be printed in a separate volume of less expensive binding.
- ✓ Which, on his motion (the rules being suspended therefor), was referred to the committee on public printing.
- ✓ A message was received from the governor, by his private secretary; which, on motion of Mr. JONES, was laid on the table and ordered to be printed and referred to the committee on finance and banks.
- Mr. SANDS, from the committee on general laws, reported with amendments,
- ✓ No. 154, Senate bill to incorporate the Pacific Company.
- He, from the same committee, reported without amendment,
- ✓ No. 200, Senate bill to confirm and validate the charter of the Peoples' Perpetual Loan and Building Association of Roanoke, Va., granted by the corporation court of the city of Roanoke.
- He, from the same committee, reported with amendment,
- ✓ No. 264, Senate bill to provide police protection at race courses, fair grounds, base ball, and foot ball, parks, and other athletic sports.
- And he, from the same committee, reported with an amendment,
- ✓ No. 265, Senate bill to empower George Booker to erect a pavilion in Hampton Roads in the county of Elizabeth City and to connect the same by a bridge or walkway with the Sherwood Hotel in said county.
- ✓ A message was received from the House of Delegates by Mr. BERKELEY, who informed the Senate that that House had passed
- ✓ No. 107, House bill authorizing the purchasers of the railroads and property of the Norfolk and Western Railroad Company, sold by foreclosure of a deed of trust or mortgage thereon, to become and be a corporation, to adopt a name therefor, and to possess and exercise general and other powers.
- ✓ The bill was subsequently taken up, on motion of Mr. McILWAINE, read three times, and passed with its title.
- And on his further motion,
- ✓ Ordered, That he inform the House of Delegates of the passage of the bill.
- The following Senate bills were taken up, read the third time, and passed with their titles:
- ✓ No. 72, Senate bill to amend and re-enact section 605, Code of

- Virginia 1887, entitled, "Treasurers to return lists of uncollected taxes and delinquents."
- ✓ No. 73, Senate bill to amend and re-enact section 833, Code of Virginia 1887, entitled, "Powers and duties of board at annual meeting.
 - ✓ No. 74, Senate bill to amend and re-enact section 862, Code of Virginia 1887, entitled treasurer's annual settlement with the supervisors, to deliver books, &c., to successor.
 - ✓ No. 78, Senate bill to amend and re-enact section 2823 of chapter 130 of the Code of Virginia 1887, in relation to interest.
 - ✓ No. 92, Senate bill to amend sections 2475 and 2476 of the Code of Virginia, with reference to lien for work done and material furnished by citizens, mechanics, lumber-dealers, and others.
 - ✓ No. 132, Senate bill requiring a list of all allowances against the Commonwealth other than allowance to jurors and witnesses, made at any term of a court of the Commonwealth, to be certified by the judge of the court and the clerk thereof, and transmitted to the auditor of public accounts immediately upon the adjournment of each term of a court of the Commonwealth.
 - ✓ No. 133, Senate bill to amend and re-enact section 3164 of the Code of Virginia, in reference to allowance to jurors and requiring lists certified by the judge of the court, and the clerk thereof, to be sent to the treasurer of the county or corporation, and to the auditor of public accounts, immediately after the adjournment of any court.
 - ✓ No. 134, Senate bill to amend and re-enact sections 3549 and 3550 of the Code of Virginia, in reference to allowance to witnesses, how and by whom entered, by whom and upon what certificate paid, and requiring lists, certified by the judge of the court, and the clerk thereof, of all allowances made witnesses on behalf of the Commonwealth, to be sent to the treasurer of the county or city, and to the auditor of public accounts, immediately after the adjournment of any court.
 - ✓ No. 146, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 622 of the Code of Virginia, in reference to the property that may be distrained for taxes, approved January 15, 1890, approved March 2, 1892.
 - ✓ No. 176, Senate bill to amend and re-enact section 3423 of the Code of Virginia, in relation to power of judge in vacation to enforce obedience to decrees and orders.
 - ✓ No. 177, Senate bill to amend and re-enact section 3427 of the Code of Virginia, in relation to how a chancery cause submitted for decision in vacation; how the decree certified and entered; its effects.
 - ✓ No. 178, Senate bill to amend and re-enact section 3426 of the Code of Virginia, as amended and re enacted by an act entitled an act to amend and re-enact section 3423 of the Code of Virginia, in

relation to interlocutory decrees and orders, approved February 12, 1894.

- ✓ No. 190, Senate bill to incorporate the King's Daughters' Hospital of Staunton, Va.
- ✓ No. 238, Senate bill extending further time to the town of Iron Gate for the collection of unpaid taxes due said town.
- ✓ No. 263, Senate bill to amend and re enact the 14th section of an act entitled an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the Superintendent of Public Printing, and to repeal chapter 185 of the Acts of Assembly of 1879-'80, approved May 23, 1887.
- ✓ No. 266, Senate bill to amend section 8 of an act to establish a corporation court for the city of Bristol, in Washington county, as heretofore amended.
- ✓ No. 231, Senate bill to give M. C. Richardson, treasurer of Warren county, Va., power of levy and distress to collect certain uncollected tax tickets.
- ✓ No. 232, Senate bill to amend and re-enact section 2625 of the Code of Virginia, in relation to how right of dower of insane wife may be passed, and how right of courtesy of insane husband may be passed same right in purchase-money to be secured to her or him, or compensation made.
- ✓ No. 254, Senate bill authorizing the purchaser of the railroads and property of the Norfolk and Western Railroad Company, sold by foreclosure of a deed of trust or mortgage thereon, to become and be a corporation, to adopt a name therefor, and to possess and exercise general and other powers, was taken up, and on motion of Mr. McILWAINE, was indefinitely postponed.
- ✓ No. 43, House bill to amend and re-enact an act approved January 14, 1892, entitled an act to incorporate the Empire Transportation Company, was taken up, and on motion of Mr. ECHOLS, was made the special order for Friday next at 1 o'clock.
- ✓ No. 275, Senate bill to enable the rector and visitors of the University of Virginia to repair the loss sustained by that institution by the fire of October 27, 1895, was taken up, and on motion of Mr. MORRIS, read the third time and passed with its title—ayes, 29; noes, 4.

AYES—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, E. H. Jackson, Jones, Jordan, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Wickham, and Withers—29.

NOES—Messrs. Flanagan, Hale, Parr, and Williams—4.

- ✓ No. 151, Senate bill to amend and re-enact section 848 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend section 848 of the Code of Virginia, in relation to com-

pensation of supervisors," approved February 26, 1894, was taken up.

- ✓ On motion of Mr. SANDS, the bill was amended and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. TREDWAY (two-thirds concurring), was read the third time. On his further motion, the title was amended so as to read as follows:

- ✓ "To amend and re-enact section 848 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend section 848 of the Code of Virginia, in relation to compensation of supervisors, approved March 5, 1894."

- ✓ The bill, as amended, was read the third time and passed with its title as amended.

- ✓ No. 203, Senate bill to amend and re-enact section 2109 of the Code of Virginia, in relation to unlawful fishing, was taken up, and the substitute proposed by the committee agreed to; and on motion of Mr. CLAYTOR, was read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed on his further motion (two-thirds concurring), was read a third time and passed with its title.

- ✓ No. 50, House bill to amend and re-enact section 100, chapter 244, of the Acts of Assembly, Session of 1889-'90, approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons and property, &c., was taken up, read the third time and passed with its title.

- ✓ No. 141, House bill to amend and re-enact section 4 of an act entitled an act to incorporate Chatham Female Institute, approved February 24, 1894, in relation to the manner in which the property of the said institute shall be used, held, conveyed and encumbered, was taken up, twice read, and on motion of Mr. TREDWAY (the rules being suspended therefor), placed on the calendar.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

On motion of Mr. JONES,

- ✓ Resolved, That the auditor of public accounts be and is hereby requested to transmit to the Senate a statement showing the amount expended in each of the counties of the State on account of criminal expenses for fiscal year ending September 30, 1895, and the ratio which such expenditures bear in each of said counties to the amount of taxes for State purposes paid by said counties respectively.

Which was agreed to.

On motion of Mr. McILWAIN,

- ✓ Resolved, That 100 extra copies of Senate bill No. 136, to define trusts, provide for penalties and punishment of corporations, persons, firms, and associations of persons connected with them, and to promote free competition in the State of Virginia, and to repeal

all laws and parts of laws in conflict with this act, be printed for the use of the Senate.

Agreed to.

✓ No. 122, Senate bill to amend the charter of the Chesapeake Land and Improvement Company, was taken up, read a second time, and ordered to be engrossed.

✓ No. 57, House bill entitled an act to amend and re-enact section 4 of the charter of the Norfolk and Atlantic Terminal Company, was taken up, and on motion of Mr. SNEAD, read the third time and passed with its title.

✓ On motion of Mr. STUBBS, the vote by which the bill was passed was reconsidered; and on his further motion, passed by.

Mr. WITHERS requested that he be relieved from serving on the committee on enrolled bills; which request was agreed to.

✓ On motion of Mr. SNEAD, the Senate resolved itself into executive session; and having dispatched the business before them, the doors were opened and the following resolution adopted in executive session (the injunction of secrecy being removed), was ordered to be spread upon the Journal of the Senate and a copy thereof forwarded to the board of education:

✓ Resolved, That the Senate advise and confirm the nomination of Richard A. Dobie as superintendent of public schools for the city of Norfolk for the unexpired term ending June 30, 1897,—the said appointment having been made to fill the vacancy occasioned by the death of K. C. Mungy.

On motion of Mr. JONES, the Senate adjourned until to-morrow, twelve o'clock.

TUESDAY, JANUARY 14, 1896.

Mr. LOVENSTEIN, President *pro tem.*, in the chair.

Prayer by Rabbi Edward N. Calisch.

Journal of yesterday read by the clerk.

A communication was received from the House of Delegates by their clerk as follows:

In House of Delegates, January 13, 1896.

✓ The House of Delegates has agreed to the amendments of the Senate to House bills entitled an act to amend and re-enact sections 1 and 9 of an act entitled an act to incorporate the Chesapeake Bay and Great Western Railway Company, approved February 19th, 1894, No. 25; and an act to incorporate the Elizabeth Night Ferry Company, No. 56.

✓ They have passed Senate bills entitled an act to authorize the Progressive Endowment Guild of America to deposit securities with

the State treasurer, and to make annual reports to the auditor, No. 19; an act to permit the governor of Virginia to furnish small arms to the Newport News Military Academy, No. 100; and an act to incorporate the city of Newport News, in the county of Warwick, and to provide a charter therefor, No. 189.

They have passed House bills entitled an act to amend and re-enact an act to amend and re-enact section 2961 of the Code of Virginia, 1887, relative to attachments, approved January 30th, 1890, No. 65; an act to provide for working roads in Rappahannock county, No. 68; an act to amend the law for the protection of game in Frederick county, Va., No. 82; an act to compensate school trustees other than clerks of district school boards, in the counties of Gloucester and Mathews, No. 83; an act to prescribe the times for holding the circuit courts for the first judicial circuit, No. 87; an act to provide for erecting, rebuilding and repairing bridges in Fairfax county, No. 89; an act to authorize the voters of Elba voting-precinct in Chatham district, Pittsylvania county, to vote on the fence law, No. 91; an act to amend and re-enact chapter 463, entitled an act to authorize the voters of Staunton River district, Pittsylvania county, to vote on the fence law, approved February 29, 1892, No. 92.

In which bills they request the concurrence of the Senate.

No. 65, House bill entitled an act to amend and re-enact an act entitled an act to amend and re-enact section 2961 of the Code of Virginia, 1887, relative to attachments, approved January 3, 1890, was taken up, twice read, and referred to the committee for courts of justice.

No. 68, House bill entitled an act to provide for working roads in Rappahannock county, was taken up, twice read, and referred to the committee on county, city and town organizations.

No. 82, House bill entitled an act to amend the law for the protection of game in Frederick county, Virginia, was taken up, twice read, and referred to the committee on fish and game.

No. 83, House bill entitled an act to compensate school trustees other than clerks of district school boards, in the counties of Gloucester and Mathews, was taken up, twice read, and referred to the committee on public institutions and education.

No. 87, House bill entitled an act to prescribe times for holding circuit courts for the first judicial circuit, was taken up, twice read, and referred to the committee for courts of justice.

No. 89, House bill entitled an act to provide for erecting, rebuilding and repairing bridges in Fairfax county, was taken up, twice read, and referred to the committee on county, city and town organizations.

No. 91, House bill entitled an act to authorize the voters of Elba voting precinct, in Chatham district, Pittsylvania county, to vote

on the fence law, was taken up, twice read, and referred to the committee on county, city and town organizations.

- ✓ No. 92, House bill entitled an act to amend and re-enact chapter 463, entitled an act to authorize the voters of Staunton River district, Pittsylvania county, to vote on the fence law, approved February 29th, 1892, was taken up, twice read, and referred to the committee on county, city and town organizations.

Mr. STUBBS, from the committee on public institutions and education, reported without amendment,

- ✓ No. 81, House bill to authorize the principal of the Rappahannock Institute, of Rappahannock, Va., to confer certificates and diplomas in the various departments of instruction, and also to grant diplomas of graduation to pupils entitled thereto in said institute, and to own and use a seal.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported with the recommendation that it do not pass,

- ✓ No. 85, House bill to amend and re-enact section 1480, of chapter 66, Code of 1887, so as to not require teachers of public free schools to teach such schools on any day set apart as Thanksgiving day, Christmas day, Lee's birthday, and Washington's birthday, or made a holiday by either the State or Federal government.

- ✓ The bill was subsequently taken up and the committee's recommendation agreed to, whereupon the bill was rejected.

He, from the same committee, reported without amendment,

- ✓ No. 86, House bill to amend and re-enact section 1497 of the Code of 1887, providing for civil government to be taught in the public free schools.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title—ayes 17; noes 16.

The vote was recorded as follows:

AYES—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Green, Hay, E. H. Jackson, G. W. Jackson, Jordau, Keezell, LeCato, Mason, Maynard, Southall, St. Clair, Stubbs—17.

NOES—Messrs. Brown, Fairfax, Flanagan, Flood, Hale, Jones, Little, Lowry, McCune, McIwaine, Morris, Parr, Snead, Tredway, Wickham and Williams—16.

He, from the same committee, reported without amendment,

- ✓ No. 191, Senate bill to amend and re-enact sections 1, 2 and 4 of an act entitled an act to appoint a board of trustees for the Virginia Female Institute at Staunton, and to provide for the future government of said institute, approved March 14th, 1874, with a preamble to said amended and re-enacted section.

Mr. WICKHAM, by leave, presented

- ✓ No. 300, Senate bill to repeal sections 1791, 1792, 1793, and 1794 of the Code of Virginia in reference to warehouse and storage re-

ceipts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. WICKHAM, by leave, presented

✓ No. 301, Senate bill to amend and re-enact section 1792 of the Code of Virginia in relation to the issue of licensed warehouse and other licensed storage receipts, and to provide penalties in respect thereto; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. WICKHAM, by leave, presented

✓ No. 302, Senate bill to amend and re-enact an act entitled an act to provide for the payment of debts due by commission merchants, approved February 27th, 1894, and to provide remedies in respect thereto; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. WICKHAM, by leave, presented

✓ No. 303, Senate bill in relation to the fraudulent sale, negotiation, pledge, or hypothecation of licensed warehouse or other licensed storage receipts, and to provide punishment in respect thereto; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. JONES, by leave, presented

✓ No. 304, Senate bill to amend and re-enact section 457 of the Code, what real estate exempt from taxation; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. ST. CLAIR, by leave, presented

✓ No. 305, Senate bill to provide for the appointment of a Live Stock Sanitary Commission and a State Veterinarian, and to prescribe their powers and duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. McCUNE, by leave, presented

✓ No. 306, Senate bill to repeal the charter of the Commonwealth Fire Insurance Company, of Winchester, Va., which was granted by the judge of the corporation court of the city of Winchester on the 17th day of July, 1893, under section 1145 of the Code of Virginia and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

✓ Mr. ST. CLAIR, by leave, presented

✓ No. 307, Senate bill to provide a new charter for the town of Pohontas; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

✓ Mr. McCUNE, by leave, presented

✓ No. 308, Senate bill to repeal the charter of the Shenandoah Valley Fire Insurance Company, of Winchester, Va., which was granted

by the judge of the corporation court of the city of Winchester on the 8th day of September, 1893, under section 1145 of the Code of Virginia and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

✓ Mr. FLANAGAN, by leave, presented

No. 309, Senate bill to amend and re-enact sections 2945 and 2949 of the Code as to warrants for small claims; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. TREDWAY, by leave, presented,

No. 310, Senate bill allowing Union Theological Seminary to have use of the convicts in the penitentiary to assist in the improvement of its grounds and the erection of its new buildings near the city of Richmond, Va.; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

✓ Mr. STUBBS, by leave, presented

No. 311, Senate bill to have natural oyster rocks, beds and shoals surveyed which were omitted to be surveyed in the geodetic survey under the acts of February 29, 1892, and acts amendatory thereto; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

✓ Mr. JORDAN, by leave, presented

No. 312, Senate bill to amend and re-enact section 164 of Code of Virginia as amended and re-enacted by an act entitled an act to amend and re-enact section 164 of the Code of Virginia, so as to allow fourth-class postmasters to act as notaries, approved February 15, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. MUSHBACH, by leave, presented

No. 313, Senate bill to amend and re-enact chapter 598 of the act of the General Assembly of Virginia, approved March 3d, 1894, entitled an act in relation to working and keeping in repair the roads and bridges of Alexandria county; which, on his motion, was read the first, ordered to be read a second time, and referred to committee on county, city, and town organizations.

✓ Mr. WILLIAMS, by leave, presented

No. 314, Senate bill to amend and re-enact section 1 of chapter 83 of the Acts of 1889 and 1890 in relation to the control of prisoners in jail; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. STUBBS, by leave, presented

No. 315, Senate bill to work the public roads of Middlesex county, Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

- ✓ Mr. FLANAGAN, by leave, presented
Three petitions asking the repeal of certain acts of Assembly in relation to the bonds of Powhatan county; which, on his motion, was referred to the committee on finance and banks.
- ✓ No. 32, House bill entitled an act to amend and re-enact section 2266 of the Code of Virginia, in relation to when and how decree for divorce from bed and board may be revoked, or divorce from bond of matrimony granted, was taken up, read the third time, and passed with its title.
- ✓ No. 34, House bill entitled an act to amend and re-enact section 2216 of the Code of Virginia, relating to the issuing of marriage licenses, was taken up, read the third time, and passed with its title.
- ✓ No. 57, House bill entitled an act to amend and re-enact section 4 of the charter of the Norfolk and Atlantic Terminal Company, was taken up, read the third time, and passed.
- ✓ On motion of Mr. STUBBS, the title to the bill was amended so as to read as follows:
✓ "An act to amend and re-enact section 4 of an act approved January 22, 1894, entitled an act to amend and re-enact section 4 of an act entitled an act to incorporate the Norfolk and Atlantic Terminal Company, approved January 28, 1892."
The bill was then passed with the title as amended.
- ✓ No. 99, House bill entitled an act to incorporate the city of Newport News, in the county of Warwick, was taken up, and, on motion of Mr. BARNES, indefinitely postponed.
- Mr. STUBBS, from the committee on general laws, reported with a substitute,
- ✓ No. 284, Senate bill to amend and re-enact an act approved March 6, 1886, entitled an act to authorize the judge of the county court of Warwick to appoint a quarantine officer at Newport News by placing the appointing power with the governor and defining the duties of said officer, and adding thereto sections 2, 3, 4, 5, 6 and 7; which was subsequently taken up, and, on motion of Mr. BARNES, the substitute proposed by the committee was agreed to, and ordered to be engrossed, and, being forthwith engrossed, on his further motion (two-thirds concurring), read the third time, and passed with its title, and on his further motion, it was ordered that he inform the House of Delegates thereof.
- ✓ Mr. WILLIAMS, from the committee to examine the office of the register of the land office, made a report, which was referred to the committee on finance and banks.
- ✓ No. 122, Senate bill to amend the charter of the Chesapeake Land and Improvement Co., was taken up, and, on motion of Mr. BARNES, read the third time, and passed with its title.
- ✓ No. 167, Senate bill to incorporate the Portsmouth and Pinner's Point Drawbridge Company, was taken up, and, on motion of Mr. MAYNARD, read the third time, and passed with its title.

The following Senate bills were taken up, read the second time, and ordered to be engrossed and read a third time:

- ✓ No. 25, Senate bill to amend and re-enact section 2919 of the Code as amended and re-enacted by an act approved February 29, 1888, in relation to the limitation of suits.
- ✓ No. 110, Senate bill to amend and re-enact sub-division seventh of section 3214 of the Code of Virginia, as to the courts in which proceedings are commenced.
- ✓ No. 154, Senate bill to incorporate the Pacific Company.
- ✓ No. 210, Senate bill to amend and re-enact section 2275 of the Code of Virginia, in relation to "How dower may be assigned."
- ✓ No. 241, Senate bill entitled "An act to amend and re-enact section 4059 of the Code of Virginia, with respect to appeals in civil and criminal cases"
- ✓ No. 214, Senate bill to amend sections 3501 and 3502 of the Code of Virginia, in relation to fees of commissioners in chancery, was taken up, read the second time, and, on motion of Mr. TREDWAY (two-thirds concurring), was read the third time, and passed with its title.

The following Senate bills, with committee's amendments in each, were taken up, read the second time, and amendments agreed to, and ordered to be engrossed and read a third time:

- ✓ No. 158, Senate bill to amend and re-enact sections 2726 and 2728 of the Code of Virginia, in relation to the action of ejectment.
- ✓ No. 264, Senate bill to provide police protection at race-courses, fair-grounds, base-ball, and foot-ball parks, and other athletic sports.
- ✓ No. 265, Senate bill to empower George Booker to erect a pavilion in Hampton Roads, in the county of Elizabeth City, and to connect the same by a bridge or walkway with the Sherwood Hotel, in said county.
- ✓ A message received from the governor, by his private secretary, ordered to lie on the table.

Mr. MUSHBACH, from the committee on county, city, and town organizations, reported with amendments,

- ✓ No. 139, Senate bill governing the location of toll-gates.
And he, from the same committee, reported without amendment,
- ✓ No. 175, Senate bill to authorize a vote in the city of Danville and town of Neapolis, upon the question of annexing and uniting said city and said town in one city.

On motion of Mr. MUSHBACH, the Senate adjourned until tomorrow, twelve o'clock.

WEDNESDAY, JANUARY 15, 1896.

Mr. LOVENSTEIN, President *pro tem.*, in the chair.

Prayer by Rabbi Edward N. Calisch.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk, was read as follows :

In House of Delegates, January 14, 1896.

The House of Delegates has passed House bills entitled an act to amend and re-enact section 3960 of the Code of Virginia, with reference to bail in criminal cases, when allowed and by whom, No. 109; an act to amend and re-enact an act entitled an act to amend and re-enact section 4106 of the Code of Virginia, touching the jurisdiction of police justices and justices of the peace as to the trial of offenders in certain cases, No. 110; and an act to amend and re-enact the first section of an act entitled an act to authorize the supervisors of Amherst county to issue bonds for the purpose of retiring outstanding bonds, approved February 24, 1888, No. 95.

In which bills they request the concurrence of the Senate.

✓ No. 109, House bill entitled an act to amend and re-enact section 3960 of the Code of Virginia, with reference to bail in criminal cases, when allowed and by whom, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 110, House bill entitled an act to amend and re-enact an act entitled an act to amend and re-enact section 4106 of the Code of Virginia, touching the jurisdiction of police justices and justices of the peace as to the trial of offenders in certain cases, approved February 23, 1894, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 95, House bill entitled an act to amend and re-enact the first section of an act entitled an act to authorize the supervisors of Amherst county to issue bonds for the purpose of retiring outstanding bonds, approved February 24, 1888, which was taken up, twice read, and referred to the committee on county, city and town organizations.

Mr. ECHOLS, from the committee on roads and internal navigation, reported with an amendment,

✓ No. 168, Senate bill to incorporate the Portsmouth, Gilmerton and Smithfield Railway and Traction Company.

He, from the same committee, reported without amendment,

✓ No. 193, Senate bill to amend and re-enact the third section of an act approved February 3, 1888, entitled an act to incorporate the Berkley Street Railway Company.

He, from the same committee, reported with amendments,

✓ No. 202, Senate bill to incorporate the Salem and Blacksburg Electric Railway Company.

He, from the same committee, reported without amendment,

✓ No. 229, Senate bill to amend the charter of the West Norfolk and Port Norfolk Drawbridge Company.

He, from the same committee, reported without amendment,

✓ No. 79, House bill in relation to the New York, Philadelphia and Norfolk Railroad Company.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment,

✓ No. 93, House bill to change the name of the Norfolk and Ocean View Railroad and Hotel Company to Norfolk and Ocean View Railroad Company, and to amend and re-enact section 1 of chapter 166 of the Acts of Assembly of 1878-'79, entitled an act to incorporate the Norfolk and Ocean View Railroad and Hotel Company.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

And he, from the same committee, reported without amendment,

✓ No. 96, House bill to incorporate the Norfolk, Willoughby Spit and Old Point Railroad Company.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment,

✓ No. 50, Senate bill for the relief of Charles Straus, trustee, under a deed of trust from Levy & Davis.

He, from the same committee, reported with an amendment,

✓ No. 251, Senate bill to authorize Thomas W. Shelton, deputy treasurer of Patrick county, to collect taxes due for the year 1892.

And he, from the same committee, reported with an amendment,

✓ No. 282, Senate bill to amend and re-enact an act entitled an act to amend and re-enact sections 7, 17 and 18 of an act approved February 20, 1892, entitled an act to provide for the settlement of the public debt of Virginia not funded under the provisions of an act entitled an act to ascertain and declare Virginia's equitable share of the debt created before and actually existing at the time of the partition of her territory and resources, and to provide for the issuance of bonds covering the same, and the regular and prompt payment of interest thereon, approved February 14, 1882, and to provide for carrying the same into effect, approved January 31, 1894.

Mr. MUSHBACH, from the committee on county, city, and town organizations, reported without amendment,

✓ No. 89, House bill to provide for erecting, rebuilding, and repairing bridges in Fairfax county.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

Mr. SANDS, from the committee on general laws, reported with a recommendation that this bill be referred to the committee on finance and banks,

✓ No. 47, House bill to amend and re-enact an act entitled an act to require the payment of fees on certain charters, approved February 10, 1890, as amended by an act approved February 28, 1890, and further amended and re-enacted by an act approved January 22, 1894; which, on his motion, was taken up and the committee's recommendation agreed to, and so ordered.

He, from the same committee, reported without an amendment,

✓ No. 37, House bill to incorporate the Society of Colonial Wars in the State of Virginia.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without an amendment,

✓ No. 44, House bill to incorporate the Powhatan Troop Association.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without an amendment,

✓ No. 67, House bill to incorporate the Potomac River Power Company.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

And he, from the same committee, reported without an amendment,

✓ No. 69, House bill to incorporate the Norfolk Electric Light and Power Company.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without an amendment,

✓ No. 40, House bill to amend and re-enact section 1916 of the Code in relation to the duties of the sealer of weights and measures, approved February 9, 1892.

✓ The bill was subsequently taken up, and on motion of Mr. SANDS, referred back to the committee.

— No. 69, House bill entitled an act to incorporate the Norfolk Electric Light and Power Company.

— The bill was subsequently taken up, read the third time, and passed with its title.

— No. 44, House bill entitled an act to incorporate the Powhatan Troop Association.

— The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported with a substitute as amended,

No. 145, Senate bill to amend and re-enact section 6 of the charter of the city of Williamsburg, and to authorize the common coun-

cil to issue bonds for the sum of five thousand dollars for the purpose of erecting and furnishing a school building for the white children of said city.

He, from the same committee, reported with an amendment,

- ✓ No. 217, Senate bill to repeal the charter of the National City Fire Insurance Company, which was granted by the corporation court of the city of Alexandria on the 19th day of March, 1894, under section 1145 of the Code of Virginia, and acts amendatory thereof.

He, from the same committee, reported with an amendment,

- ✓ No. 218, Senate bill to repeal the charter of the Potomac Insurance Company of Alexandria, Virginia, which was granted by the corporation court of the city of Alexandria on the 25th day of March, 1893, under section 1145 of the Code of Virginia, and acts amendatory thereof.

He, from the same committee, reported with an amendment,

- ✓ No. 219, Senate bill to repeal the charter of the Farmers and Mechanics Insurance Company of Alexandria, Virginia, which was granted by the judge of the corporation court of the city of Alexandria on the 29th day of March, 1892, under section 1145 of the Code of Virginia, and acts amendatory thereof.

He, from the same committee, reported with an amendment,

- ✓ No. 220, Senate bill to repeal the charter of the National Home Insurance Company of America, which was granted by the judge of the corporation court of the city of Alexandria on the 28th day of November, 1893, under section 1145 of the Code of Virginia, and acts amendatory thereof.

He, from the same committee, reported with an amendment,

- ✓ No. 221, Senate bill to repeal the charter of the United Fire Insurance Company, which was granted by the judge of the corporation court of the city of Alexandria on the 2nd day of April, 1894, under section 1145 of the Code of Virginia, and acts amendatory thereof.

He, from the same committee, reported with an amendment,

- ✓ No. 222, Senate bill to repeal the charter of the Phoenix Fire and Marine Insurance Company of Alexandria, Virginia, which was granted by the judge of the corporation court of the city of Alexandria on the 26th day of March, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof.

He, from the same committee, reported with an amendment,

- ✓ No. 223, Senate bill to repeal the charter of the Potomac Fire and Marine Insurance Company of Alexandria, Virginia, which was granted by the corporation court of the city of Alexandria on the 24th day of January, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof.

He, from the same committee, reported with an amendment,

- ✓ No. 225, Senate bill to repeal the charter of the Planters Insurance Company of Alexandria, Virginia, which was granted by the

corporation court of the city of Alexandria, on the 22d day of May, 1893, under section 1145 of the Code of Virginia, and amendatory acts.

- ✓ He, from the same committee, reported with an amendment, No. 226, Senate bill to repeal the charter of The Farmers and Mechanics Fire Insurance Company of Alexandria county, Virginia, which was granted by the judge of the circuit court of Alexandria county, in January, 1895, under section 1145 of the Code of Virginia, and amendatory acts.

- ✓ He, from the same committee, reported with an amendment, No. 267, Senate bill to repeal the charter of the Provident Fire Insurance Company of Richmond, Va., which was granted by the judge of the circuit court of the city of Richmond, on the 21st day of November, 1893, under section 1145 of the Code of Virginia, and amendatory acts.

- ✓ He, from the same committee, reported with an amendment, No. 268, Senate bill to repeal the charter of the Atlantic Fire Insurance Company of Richmond, Va., which was granted by the judge of the circuit court of the city of Richmond, on the 2d day of February, 1894, under section 1145 of the Code of Virginia, and amendatory acts.

- ✓ He, from the same committee, reported with an amendment, No. 269, Senate bill to repeal the charter of the German-American Fire Insurance Company of Virginia, which was granted by the judge of the circuit court of the city of Richmond, on the 7th day of July, 1892, under section 1145 of the Code of Virginia, and amendatory acts.

- ✓ He, from the same committee, reported with an amendment, No. 288, Senate bill to repeal the charter of the First National Fire Insurance Company, of Fredericksburg, Va., which was granted by the judge of the corporation court of the city of Fredericksburg on the 22d day of July, 1893, under section 1145 of the Code of Virginia, and amendatory acts.

- ✓ He, from the same committee, reported with an amendment, No. 291, Senate bill to repeal the charter of the Old Dominion Fire Insurance Company, of Portsmouth, Va., which was granted by the judge of the court of hustings for the city of Portsmouth, on the 20th day of July, 1892, under section 1145 of the Code of Virginia, and amendatory acts.

- ✓ He, from the same committee, reports without an amendment, No. 206, Senate bill to authorize the United Security, Life, and Trust Company of Pennsylvania to do business in this State without the deposit of securities with the treasurer.

- ✓ He, from the same committee, reported without amendment, No. 250, Senate bill to incorporate The True Friends Aid Society.

He, from the same committee, reported with an amendment, No. 248, Senate bill to incorporate the Sabine Development Company.

And he, from the same committee, reports without an amendment,

- ✓ No. 233, Senate bill to amend and re-enact section 10 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers and conditions upon which they are to be sold, and fixing the penalties incurred for violations of the same, approved February 24, 1890, as amended and re-enacted by an act entitled an act to amend and re-enact sections 2, 4, 6, and 10 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers and the guarantee and conditions upon which they are to be sold, and fixing the penalties incurred for violations of the same, approved March 9, 1894.

Mr. ECHOLS, by leave, presented

- ✓ No. 316, Senate bill to incorporate Basic City, Bridgewater and Piedmont Railway Company, was taken up, read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. CLAYTOR (by request), by leave, presented

- ✓ No. 317, Senate bill to repeal the charter of the Roanoke Underwriters Agency, of Roanoke, Va., which was granted by the judge of the corporation court of the city of Roanoke on the 25th day of April, 1893, under section 1145 of the Code of Virginia and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. KANE, by leave, presented

- ✓ No. 318, Senate bill to incorporate Interstate Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. ST. CLAIR, by leave, presented,

- ✓ No. 319, Senate bill to amend and re-enact an act entitled an act for the protection of fish in Bland, Tazewell and Smyth counties; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), was placed on the calendar.

Mr. MAYNARD, by leave, presented

- ✓ No. 320, Senate bill to change the name and extend the scope of the Old Dominion Telephone Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. STUBBS, by leave, presented

- ✓ Petition of the citizens of Gloucester as to the Gloucester Agricultural and Industrial School, which was referred to the committee on public institutions and education.
- ✓ No. 210, Senate bill to amend and re-enact section 2275 of the Code of Virginia in relation to how dower may be assigned, was taken up, read the third time, and passed with its title.

- ✓ No. 241, Senate bill entitled an act to amend and re-enact section 4059 of the Code of Virginia with respect to appeals in civil and criminal cases, was taken up, read the third time, and passed with its title.
- ✓ No. 264, Senate bill to provide police protection at race courses, fair grounds, base-ball and foot-ball parks, and other athletic sports, was taken up, read the third time, and passed with its title.
- ✓ No. 25, Senate bill to amend and re-enact section 2919 of the Code, as amended and re-enacted by an act approved February 29, 1888, in relation to the limitation of suits, was taken up, read the third time, and passed with its title.
- ✓ No. 110, Senate bill to amend and re-enact sub-division 7 of section 3214 of the Code of Virginia as to the courts in which proceedings are commenced, was taken up, read the third time, and passed with its title.
- ✓ No. 154, Senate bill to incorporate the Pacific Company, was taken up, read the third time, and passed with its title.
- ✓ No. 158, Senate bill to amend and re-enact sections 2726 and 2728 of the Code of Virginia in relation to the action of ejectment, was taken up, read the third time, and passed with its title.
- ✓ No. 265, Senate bill to empower George Booker to erect a pavilion in Hampton Roads, in the county of Elizabeth City, and to connect the same by a bridge or walkway with the Sherwood Hotel in said county, was taken up, read the third time, and passed with its title.
- ✓ No. 200, Senate bill to confirm and validate the charter of the Peoples' Perpetual Loan and Building Association of Roanoke, Va., granted by the corporation court for the city of Roanoke, was taken up, twice read, and, on motion of Mr. SANDS, the substitute for the bill was agreed to, and ordered to be engrossed and read a third time; and being forthwith engrossed, was, on motion of Mr. CLAYTOR (two-thirds concurring), read the third time and passed with its title.
- ✓ No. 175, Senate bill to authorize a vote in the city of Danville and town of Neapolis upon the question of annexing and uniting said city and said town in one city, was taken up and read a second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. WITHERS (two-thirds concurring), was read the third time and passed with its title.
- ✓ No. 191, Senate bill to amend and re-enact sections 1, 2 and 4 of an act entitled an act to appoint a board of trustees for the Virginia Female Institute at Staunton, and to provide for the future government of said institute, approved March 14th, 1874, with a preamble to said amended and re-enacted section, was taken up, twice read, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. ECHOLS (two-thirds concurring), was read the third time, and passed with its title.
- ✓ No. 139, Senate bill governing the location of toll-gates, was taken up, twice read, committee's amendments agreed to, and or-

dered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. E. H. JACKSON, was read the third time and passed; on motion of Mr. MUSHBACH, the title was amended as follows:

- ✓ "Governing the location of toll gates on the Front Royal Turnpike Company's road, in the counties of Frederick and Clarke."
- ✓ The bill, with its title as amended, was read the third time, and passed with its title.
- ✓ Mr. FLANAGAN rose to a personal privilege in reference to remarks made by Hon. Geo. D. Wise before the committee of privileges and elections yesterday.
- ✓ On motion of Mr. HALE, indefinite leave of absence was granted Mr. McCUNE.

Mr. FLANAGAN, by leave, presented

- ✓ A petition from citizens of Powhatan county, in reference to certain bonds of that county; which, on his motion, was referred to the committee on general laws.

- ✓ On motion of Mr. LOVENSTEIN, the Senate resolved itself into executive session, and having dispatched the business before them, the doors were opened, and the following resolutions were adopted, in executive session (the injunction of secrecy being removed), and ordered to be spread upon the journal of the Senate, and a copy thereof forwarded to the governor:

- ✓ Resolved, That the Senate advise and confirm the following nominations of the board of visitors of the Virginia Agricultural and Mechanical College: Joseph M. Barton, Kernstown, Frederick county; H. S. Graves, Roanoke city; H. L. Maynard, Portsmouth; Thomas B. Price, Lawrenceville, Brunswick county; and also the following nominations of the board of visitors of the Virginia Military Institute: S. H. Letcher, Lexington; Peter Hairston, Martinsville; G. Percy Hawes, Richmond.

On motion of Mr. WICKHAM, the Senate adjourned until tomorrow, twelve o'clock.

THURSDAY, JANUARY 16, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rabbi Edward N. Calisch.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk was read as follows:

In the House of Delegates, January 15, 1896.

The House of Delegates has passed Senate bills entitled an act to amend and re-enact an act approved March 6th, 1886, entitled an

✓ act to authorize the judge of the county court of Warwick to appoint a quarantine officer at Newport News, by placing the appointing power with the Governor, and defining the duties of said officer, and adding thereto sections 2, 3, 4, 5, 6, 7 and 8, No. 284; and an act to amend sections 2475 and 2476 of the Code of Virginia with reference to lien for work done and materials furnished by artisans, mechanics, lumber dealers and others, No. 92.

✓ They have agreed to the amendments of the Senate to House bill entitled an act for the relief of tax-payers of King William county, providing that the penalty of 5 per centum shall not be added till the first day of February, 1896, No. 80.

✓ They have passed House bills entitled an act to amend the charter of the Chesapeake Land and Improvement Company, No. 39; an act to incorporate the Italian Beneficial and Social Society of the city of Richmond, No. 104; an act to prevent the extermination of game in the counties of Orange, Culpeper, Louisa, Spotsylvania, ✓ King George, and Stafford, and the protection of the same, No. 115; ✓ an act to protect game, &c., in the county of Bedford, No. 111; an act to legalize primary elections in the county of Henrico, No. 113; ✓ an act to abolish school district No. 8, in the town of Manassas, ✓ Prince William county, No. 114; an act to repeal an act for the better protection of game in Nansemond county, relative to killing ✓ of rabbits or hares, No. 117; an act to authorize the circuit court of ✓ Clarke county, or the judge thereof in vacation, to appoint an additional commissioner in chancery, No. 118; an act to protect game ✓ in the county of Fairfax, No. 119; an act to authorize the board of supervisors of Giles county to levy a tax for district school purposes, No. 120; an act to require sheriffs and sergeants of the counties and cities of this State to report to the courts of their respective ✓ counties and cities the number of prisoners confined in their respective jails, No. 135; an act to authorize the appointment of a physician to the poor of the city of Portsmouth, No. 138; an act to ✓ authorize the council of the city of Portsmouth to issue bonds for ✓ school, street, and other improvements in the Fifth Ward, No. 139; ✓ and an act to incorporate the Mary F. Ballentine Home for the ✓ Aged, No. 173.

In which bills they request the concurrence of the Senate.

✓ No. 39, House bill entitled an act to amend the charter of the Chesapeake Land and Improvement Company, was taken up, twice read, and referred to the committee on general laws.

✓ No. 104, House bill entitled an act to incorporate the Italian Beneficial and Social Society of the city of Richmond, was taken up, twice read, and, on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, on motion of Mr. LOVENSTEIN, amended, which was agreed to, and, on his further motion

(two-thirds concurring), was read the third time and passed as amended with its title.

✓ No. 115, House bill entitled an act to prevent the extermination of game in the counties of Orange, Culpeper, Louisa, Spotsylvania, King George and Stafford, and the protection of the same, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 111, House bill entitled an act to protect game in the county of Bedford, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 113, House bill entitled an act to legalize the primary elections in the county of Henrico, was taken up, twice read, and referred to the committee on privileges and elections.

✓ No. 114, House bill entitled an act to abolish school district No. 8, in the town of Manassas, Prince William county, was taken up, twice read, and referred to the committee on public institutions and education.

✓ No. 117, House bill entitled an act for the better protection of game in Nansemond county, relative to killing of rabbits or hares, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 118, House bill entitled an act to authorize the circuit court of Clarke county, or the judge thereof in vacation, to appoint an additional commissioner in chancery, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 119, House bill entitled an act to protect game in the county of Fairfax, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 120, House bill entitled an act to authorize the board of supervisors of Giles county to levy a tax for district school purposes, was taken up, twice read, and, on motion of Mr. GREEN (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, and, on his further motion, was read the third time, and passed with its title.

✓ No. 135, House bill entitled an act to require sheriffs and sergeants of the counties and cities of this State to report to the courts of their respective counties and cities the number of prisoners confined in their respective jails, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 138, House bill entitled an act to authorize the appointment of a physician to the poor of the city of Portsmouth, was taken up, twice read, and, on motion of Mr. MAYNARD (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, and, on his further motion (two-thirds concurring), read a third time and passed with its title.

✓ No. 139, House bill entitled an act to authorize the council of the city of Portsmouth to issue bonds for school, street and other improvements in the fifth ward, was taken up, twice read, and, on

✓ motion of Mr. MAYNARD (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, and, on his further motion (two-thirds concurring), read the third time and passed with its title.

✓ No. 173, House bill entitled an act to incorporate the Mary F. Ballentine Home for the Aged, was taken up, twice read, and, on motion of Mr. SHEAD (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, and, on his further motion (two-thirds concurring), read the third time and passed with its title

Mr. FLANAGAN, by leave, presented

✓ No. 321, Senate bill to amend and re-enact section 3559, chapter 174, Code of Virginia, in relation to clerks of courts of counties and corporations, and chancery court of Richmond, to keep judgment dockets, what judgments to docket therein; clerks of circuit courts to deliver abstracts of judgments rendered in their courts or offices; abstracts of judgments against fiduciaries, receivers, etc., not to be docketed unless required; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. KEEZELL, by leave, presented

✓ No. 322, Senate bill to amend section 2 of an act entitled an act to incorporate the town of Shendum, Virginia, approved February 16th, 1892; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. SOUTHALL, by leave, presented

✓ No. 323, Senate bill for the relief of J. E. Allbrook, a wounded Confederate soldier, of Prince Edward county, Va.; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. TREDWAY, by leave, presented

✓ No. 324, Senate bill to incorporate the board of trade of Martinsville for the purpose of encouraging, promoting and regulating the sale of and trade in leaf tobacco in said town; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. TREDWAY, by leave, presented

✓ No. 325, Senate bill to incorporate the Chatham Tobacco Association of Chatham, Va.; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. TURNBULL, by leave, presented

✓ No. 326, Senate bill to amend and re-enact section 4018 of the Code of Virginia in relation to venire facias in case of felony; what to command; number of persons to be summoned, and how selected; which, on his motion was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. TURNBULL, by leave, presented

✓ No. 327, Senate bill to amend and re-enact sections 4080 and 4083, and to repeal section 4082 of chapter 199 of the Code of Virginia, in relation to taxation and allowance of costs in criminal cases; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on special criminal expenses.

✓ Mr. TURNBULL, by leave, presented

✓ No. 328, To amend and re-enact section 3936 of the Code of Virginia, in relation to what rate prisoner required to work out fine and costs, what statement to be given to person in charge of chain-gang, limitation of service; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on special criminal expenses.

✓ Mr. MASON, by leave, presented

✓ No. 329, Senate bill to approve, ratify and confirm the charter of the Grand Order of the Peace and Light Society of King George county, Virginia, which charter was granted in vacation by the judge of the circuit court of King George county, on the 4th day of October, 1894; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

✓ Mr. MASON, by leave, presented

✓ No. 330, Senate bill to amend sections 1 and 7 of a charter granted to the Gethsemane Lodge of the State of Virginia, No. 1, on the 28th day of November, 1894, by the judge of the circuit court of King George county in vacation, and to confirm, approve and ratify such charter as amended; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor) was placed on the calendar.

✓ Mr. MAYNARD, by leave, presented

✓ No. 331, Senate bill to authorize the board of supervisors of Norfolk county to issue bonds; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), was placed on the calendar.

✓ Mr. PARR, by leave, presented

✓ No. 332, Senate bill for the relief of Mrs. Eliza E. Grady, widow of a Confederate soldier; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. MUSHBACH, by leave, presented

✓ No. 333, Senate bill to incorporate the Potomac and Ohio Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), was placed on the calendar.

✓ Mr. LOWRY, by leave, presented

✓ No. 334, Senate bill to provide for the establishment of a High School at Bedford City, and to take the sense of the qualified voters

of the Municipal and Liberty districts of Bedford county thereon ; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

✓ Mr. FLANAGAN, by leave, presented

✓ The petition of Samuel S. Sublett and other tax-payers of Powhatan county, praying for the repeal of certain acts of assembly ; which, on his motion, was referred to the committee on general laws.

✓ Mr. MUSHBACH, from the committee on county, city, and town organizations, reported with amendments,

✓ No. 102, House bill to enable the supervisors of Hanover county, if they deem it expedient, to construct a road from Chickahominy swamp, between the Mechanicsville and the Richmond and Henrico turnpikes to the city of Richmond, and to appropriate funds for that purpose out of the county levy of said county of Hanover.

Mr. FLOOD, from the committee on fish and game, reported with a substitute,

✓ No. 7, House bill to amend chapter 209, Acts 1893-94, for the protection of fish in Roanoke county.

✓ The bill was subsequently taken up, and the substitute proposed by the committee was agreed to and passed with its title, as amended.

The following Senate bills were taken up, read the second time, and ordered to be engrossed and read a third time :

✓ No. 193, Senate bill to amend and re-enact the third section of an act approved February 3, 1888, entitled an act to incorporate the Berkley Street Railway Company.

✓ No. 229, Senate bill to amend and re-enact an act to incorporate the West Norfolk and Port Norfolk Drawbridge Company.

✓ No. 50, Senate bill to incorporate the True Friends Aid Society.

✓ No. 251, Senate bill to authorize Thomas W. Shelton, deputy treasurer of Patrick county, to collect taxes due for the year 1892.

✓ No. 250, Senate bill to incorporate the True Friends Aid Society.

✓ No. 206, Senate bill to authorize the United Security Life Insurance and Trust Company of Pennsylvania to do business in this State without the deposit of securities with the treasurer.

✓ No. 319, Senate bill to amend and re-enact an act entitled an act for the protection of fish in Bland, Tazewell, and Smyth counties.

✓ No. 233, Senate bill to amend and re-enact section 10 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers and condition upon which they are to be sold, and fixing the penalties incurred for violations of the same, approved February 24, 1890, as amended and re-enacted by an act entitled an act to amend and re-enact sections, 2, 4, 6, and 10 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers, and the guarantee and condition upon which they are to be sold,

and fixing the penalties incurred for violations of the same, approved March 9, 1894.

The following Senate bills were taken up, twice read, and the committee's amendments in each one were agreed to, and ordered to be engrossed and read a third time:

- ✓ No. 168, Senate bill to incorporate the Portsmouth, Gilmerton and Smithfield Railway and Traction Company.
- ✓ No. 217, Senate bill to repeal the charter of the National City Fire Insurance Company, which was granted by the corporation court of the city of Alexandria on the 19th day of March, 1894, under section 1145 of the Code of Virginia, and acts amendatory thereof.
- ✓ No. 218, Senate bill to repeal the charter of the Potomac Insurance Company of Alexandria, Va., which was granted by the corporation court of the city of Alexandria on the 25th day of March, 1893, under section 1145 of the Code of Virginia, and acts amendatory thereof.
- ✓ No. 219, Senate bill to repeal the charter of the Farmers and Mechanics Insurance Company of Alexandria, Va., which was granted by the judge of the corporation court of the city of Alexandria on the 29th day of March, 1892, under section 1145 of the Code of Virginia, and acts amendatory thereof.
- ✓ No. 220, Senate bill to repeal the charter of the National Home Insurance Company of America, which was granted by the judge of the corporation court of the city of Alexandria on the 28th day of November, 1893, under section 1145 of the Code of Virginia, and acts amendatory thereof.
- ✓ No. 221, Senate bill to repeal the charter of the United Fire Insurance Company, which was granted by the judge of the corporation court of the city of Alexandria on the 2d day of April, 1894, under section 1145 of the Code of Virginia, and acts amendatory thereof.
- ✓ No. 222, Senate bill to repeal the charter of the Phoenix Fire and Marine Insurance Company of Alexandria, Virginia, which was granted by the judge of the corporation court of the city of Alexandria on the 26th day of March, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof.
- ✓ No. 223, Senate bill to repeal the charter of the Potomac Fire and Marine Insurance Company of Alexandria, Virginia, which was granted by the corporation court of the city of Alexandria on the 24th day of January, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof.
- ✓ No. 225, Senate bill to repeal the charter of the Planters Insurance Company of Alexandria, Virginia, which was granted by the corporation court of the city of Alexandria on the 22d day of May, 1893, under section 1145 of the Code of Virginia, and amendatory acts.
- ✓ No. 226, Senate bill to repeal the charter of the Farmers and Mechanics Fire Insurance Company, of Alexandria county, Vir-

ginia, which was granted by the judge of the circuit court of Alexandria county on January —, 1895, under section 1145 of the Code of Virginia, and amendatory acts.

- ✓ No. 268, Senate bill to repeal the charter of the Atlantic Fire Insurance Company of Richmond, Va., which was granted by the judge of the circuit court of the city of Richmond on the 2d day of February, 1894, under section 1145 of the Code of Virginia, and amendatory acts.
- ✓ No. 267, Senate bill to repeal the charter of the Provident Fire Insurance Company of Richmond, Va., which was granted by the judge of the circuit court of the city of Richmond on the 21st day of November, 1898, under section 1145 of the Code of Virginia, and amendatory acts.
- ✓ No. 269, Senate bill to repeal the charter of the German-American Fire Insurance Company of Virginia, which was granted by the judge of the circuit court of the city of Richmond on the 7th day of July, 1892, under section 1145 of the Code of Virginia, and amendatory acts.
- ✓ No. 288, Senate bill to repeal the charter of the First National Fire Insurance Company of Fredericksburg, Virginia, which was granted by the judge of the corporation court of the city of Fredericksburg on the 22d day of July, 1893, under section 1145 of the Code of Virginia, and amendatory acts.
- ✓ No. 291, Senate bill to repeal the charter of the Old Dominion Fire Insurance Company of Portsmouth, Va., which was granted by the judge of the court of hustings for the city of Portsmouth on the 20th day of July, 1892, under section 1145 of the Code of Virginia, and amendatory acts.
- ✓ No. 248, Senate bill to incorporate the Sabine Development Company.
- ✓ No. 316, Senate bill to incorporate Basic City, Bridgewater and Piedmont Railroad Company, was taken up, read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion (two-thirds concurring), was read the third time, and passed with its title.
- ✓ No. 202, Senate bill to incorporate the Salem and Blacksburg Electric Railway Company, was taken up, read the second time and ordered to be engrossed and read a third time; and being forthwith engrossed, was, on motion of Mr. CLAYTOR (two-thirds concurring), read the third time and passed with its title.
- ✓ No. 282, Senate bill to mend and re-enact an act entitled an act to amend and re-enact sections 7, 17 and 18 of an act approved February 20, 1892, entitled an act to provide for the settlement of the public debt of Virginia not funded under the provisions of an act entitled an act to ascertain and declare Virginia's equitable share of the debt created before and actually existing at the time of the partition of her territory and resources, and to provide for the issuance of bonds covering the same, and the regular and prompt pay-

✓ ment of interest thereon, approved February 14, 1882, and to provide for carrying the same into effect, approved January 31, 1894, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time; and being forthwith engrossed, was, on motion of Mr. WICKHAM (two-thirds concurring) read the third time and passed.

On his further motion the title was amended.

✓ The bill, as amended, was then passed with its title as amended.

✓ A message was received from the House of Delegates by Mr. BERKELEY, who informed the Senate that that house had passed No. 106, Senate bill, with an amendment.

✓ The bill was subsequently taken up, and on motion of Mr. JONES, the amendment proposed by the House of Delegates was agreed to; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 145, Senate bill to amend and re-enact section 6 of the charter of the city of Williamsburg, and to authorize the common council to issue bonds for the sum of five thousand dollars for the purpose of erecting and furnishing a school building for white children of said city, was taken up, read the second time, and the substitute proposed by the committee agreed to, and ordered to be engrossed and read a third time.

✓ A message was received from the House of Delegates by Mr. TALIAFERRO, who informed the Senate that that house had passed House bill, No. 116, entitled an act to amend and re-enact chapter 256 of Acts of Assembly of 1855-'56, as amended by chapter 123 Acts of Assembly of 1883-'84, entitled an act to incorporate the town of Orange and to enable said town to borrow money.

On motion of Mr. HAY, the bill was placed on the calendar.

✓ The bill was subsequently taken up, and on his further motion (two-thirds concurring), was passed with its title.

On motion of Mr. LOVENSTEIN, the Senate adjourned until tomorrow, 12 o'clock.

FRIDAY, JANUARY 17, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rabbi Edward N. Calisch.

Journal of yesterday read by the clerk.

A communication was received from the House of Delegates by their clerk as follows:

In House of Delegates, January 14, 1896.

✓ The House of Delegates has passed Senate bills entitled an act to prohibit the running at large of horses, cattle and other stock upon the public roads in parts of Blue Grass District, in the county of

✓ Highland, No. 31; an act to amend and re-enact section 3 of an act entitled an act to protect wild water fowl and other game in the counties of Accomac and Northampton, approved March 5, 1894, No. 64; an act to amend and re-enact section 5 of an act approved March 8, 1875, entitled an act to incorporate the town of Glade Springs in Washington county, No. 83; an act to authorize the board of supervisors of the county of Isle of Wight to borrow money for the purchase of metallic furniture for the clerk's office of said county, No. 142; an act to amend and re-enact section 11 of an act of General Assembly, approved January 24, 1894, entitled an act to incorporate the Richmond, Gayton and Southside Railroad Company, approved January 26, 1892, No. 143; an act to amend and re-enact section 1145 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 1145 of the Code of Virginia, as to how certain charters of incorporation granted, altered or amended by the circuit or corporation courts, and where to be recorded; validating all charters to build and operate railroads heretofore granted by a circuit or corporation court, but forbidding said courts to grant such charters in the future, approved February 20, 1892, No. 163; an act to incorporate the Mineral Belt Railway Company, No. 150; an act to amend and re-enact sections 1, 2 and 4 of an act entitled an act to appoint a board of trustees for the Virginia Female Institute, at Staunton, and to provide for the future government of said institute, approved March 14, 1874, with a preamble to said amended and re-enacted sections, No. 191; and an act to amend and re-enact sections 4059 of the Code of Virginia, with respect to appeals in civil and criminal cases, No. 241.

✓ They have agreed to the amendment of the Senate to House bill entitled an act to amend and re-enact section 4 of the charter of the Norfolk and Atlantic Terminal Company, No. 57.

✓ They have passed House bills entitled an act to amend and re-enact section 3393 of the Code, in relation to how judgment entered on bond for the payment of money, No. 121; an act to amend and re-enact section 4093 of the Code, in relation to recognizances, No. 122; an act to amend and re-enact section 177 of the Code, in relation to bonds taken by courts and officers, No. 123; an act to enlarge the powers of the Richmond Traction Company, No. 125; an act to incorporate the American Central Trunk Line Railroad Company, No. 149; an act to authorize the Crockett Springs Company to appoint police agents, No. 151; an act to authorize the council of the town of Salem, in Roanoke county, to issue new bonds of said town sufficient to retire the bonds issued for the construction of water works, and to transfer the lien of the deed of trust on said water works, its franchises, etc., to the bonds to be issued under this act, No. 152; an act to allow the voters of Northampton county to vote on a fence law, No. 153; an act to amend and re-enact an act approved February 1, 1894, entitled an act to provide for working

the roads in Northampton county, approved March 2, 1892, as amended by an act approved February 23, 1894, and to add thereto an independent section, No. 154; an act to amend and re-enact section 456 of the Code, in relation to the lien for taxes and levies, No. 157; an act to authorize the trustees of the Gravel Springs Evangelical Lutheran Church, in Frederick county, to receive a donation of one thousand dollars and to invest the same, No. 158; and an act to change the corporate name of Jacksonville to Floyd, No. 159.

In which bills they request the concurrence of the Senate.

✓ No. 121, House bill entitled an act to amend and re-enact section 3393 of the Code in relation to how judgment entered on bond for the payment of money, was taken up, read the second time, and referred to the committee for courts of justice.

✓ No. 122, House bill entitled an act to amend and re-enact section 4093 of the Code in relation to recognizances, was taken up, read the second time, and referred to the committee for courts of justice.

✓ No. 123, House bill entitled an act to amend and re-enact section 177 of the Code in relation to bonds taken by courts and officers, was taken up, read the second time, and referred to the committee for courts of justice.

✓ No. 125, House bill entitled an act to enlarge the powers of the Richmond Traction Company, was taken up, read the second time, and referred to the committee on roads and internal navigation.

✓ No. 149, House bill entitled an act to incorporate the American Trunk Line Railroad Company, was taken up, read the second time, and referred to the committee on roads and internal navigation.

✓ No. 151, House bill entitled an act to authorize the Crockett Springs Company to appoint police agents, was taken up, read the second time, and referred to the committee on general laws.

✓ No. 152, House bill entitled an act to authorize the council of the town of Salem, in Roanoke county, to issue new bonds of said town sufficient to retire the bonds issued for the construction of water-works, and to transfer the lien of the deed of trust on said water-works, its franchises, etc., to the bonds to be issued under this act, was taken up, read the second time, and referred to the committee on county, city, and town organizations.

✓ No. 153, House bill entitled an act to allow the voters of Northampton county to vote on a fence law, was taken up, read the second time, and, on motion of Mr. LECATO (the rules being suspended therefor), was placed on the calendar.

✓ No. 154, House bill entitled an act to amend and re-enact an act approved February 1, 1894, entitled an act to provide for working the roads in Northampton county, approved March 2, 1892, as amended by an act approved February 23, 1894, and to add thereto an independent section, was taken up, read the second time, and referred to the committee on county, city, and town organizations.

✓ No. 157, House bill entitled an act to amend and re-enact section 456 of the Code in relation to the lien for taxes and levies, was

taken up, read the second time, and referred to the committee on finance and banks.

- ✓ No. 158, House bill entitled an act to authorize the trustees of the Gravel Springs Evangelical Lutheran Church, in Frederick county, to receive a donation of one thousand dollars and invest the same, was taken up, read the second time, and referred to the committee on general laws.

- ✓ No. 159, House bill entitled an act to change the corporate name of Jacksonville to Floyd, was taken up, read the second time, and, on motion of Mr. HALE (the rules being suspended therefor), was placed on the calendar.

- ✓ The bill was subsequently taken up, and on his further motion (two-thirds concurring), read the third time and passed with its title.

Mr. ST. CLAIR, by leave, presented

- ✓ No. 335, Senate bill to amend section 1 of the charter of the town of Tazewell, in Tazewell county; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. SOUTHALL, by leave, presented

- ✓ No. 336, Senate bill to repeal an act entitled an act to allow Mrs. W. C. Corson to draw from the treasury of the State any salary due the estate of W. C. Corson, deceased, and to authorize the auditor of public accounts to pay the same, approved December 19, 1895; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. SOUTHALL, by leave, presented

- ✓ No. 337, Senate bill to authorize the board of education to pay Mrs. W. C. Corson any salary due the estate of William C. Corson, late superintendent of schools of Cumberland county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. CLEMENTS, by leave, presented

- ✓ No. 338, Senate bill in relation to actions of ejectment; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. ECHOLS, (by request), by leave, presented

- ✓ No. 339, Senate bill to repeal the charter of the Pequannock Fire Association of Staunton, Va., which was granted by the judge of the corporation court of the city of Staunton, on the 1st day of December, 1892, under section 1145 of the Code of Virginia, and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. STUBBS, by leave, presented

- ✓ No. 340, Senate bill to allow Lewis Jones, late treasurer of Middlesex county, further time to distrain and levy for taxes, levies and licenses for the years 1888, 1889, 1890, 1891, and 1892; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. SNEAD, by leave, presented

- ✓ No. 341, Senate bill to repeal the charter of the Virginia Farmers Insurance Company of Norfolk, Va., which was granted by the judge of the corporation court of the city of Norfolk, on the 9th day of August, 1893, under section 1145 of the Code of Virginia and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. SNEAD, by leave, presented

- ✓ No. 342, Senate bill to repeal the charter of the Norfolk Fire and Marine Insurance Company of Norfolk, Va., which was granted by the corporation court of the city of Norfolk, on the 25th day of May, 1893, under section 1145 of the Code of Virginia and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. CLAYTOR (by request), by leave, presented

- ✓ No. 343, Senate bill to incorporate the Piedmont Mining and Manufacturing Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. SNEAD, by leave, presented

- ✓ No. 344, Senate bill to repeal an act entitled an act in reference to fences in Princess Anne county, approved February 3, 1882, as amended and re-enacted by an act entitled an act to amend and re-enact chapter 56 of the Acts of 1881-'2, entitled an act in reference to fences in Princess Anne county, approved March 3, 1890; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar; and on his further motion (two thirds concurring), was ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion passed with its title.

Mr. SANDS, by leave, presented

- ✓ No. 345, Senate bill to amend and re-enact section 3320 of the Code of Virginia, in reference to the duties of commissioners in chancery; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BARNES, by leave, presented

- ✓ No. 346, Senate bill to consolidate the Hampton and Old Point Railway Company and the Newport News Street Railway Company, and thereby to create a corporation to be known as The Newport News, Hampton and Old Point Railway Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

✓ Mr. MASON, by leave, presented

- No. 347, Senate bill to authorize J. E. Blakemore, J. C. Towles, and V. E. Towles, or any one of them, to erect a pier—head in the Rappahannock river near Towles' Point; which, on his motion, was

read the first, ordered to be read a second time; and on his further motion (the rules being suspended therefor), was placed on the calendar.

✓ Mr. STUBBS, by leave, presented

No. 348, Senate bill to amend and re-enact section 7 of an act entitled an act to amend and re-enact section 2134 of Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 2131, 2133, 2135, 2137, 2148, 2151, 2153, and to repeal sections 2141, 2142, 2143, 2144, 2145, and 2147 of chapter 97 of the Code of Virginia, in relation to oysters, and to add independent sections thereto, approved February 25, 1892, and to amend and re-enact sections 6 and 7 of the said act, approved February 25, 1892, approved March 5, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game; and also a petition to accompany the bill.

✓ Mr. JORDAN, by leave, presented

No. 349, Senate bill for the relief of Charles M. Jordan, of Halifax county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. WITHERS (by request), by leave, presented

No. 350, Senate bill to divorce a vinculo matrimonii Mary E. Lynn and Wm. G. Lynn, but not to interfere with any other proceedings in the divorce suit heretofore had between them in the corporation court of Danville, Va., nor with the settlement made between them of their property rights; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. WITHERS, by leave, presented

No. 351, Senate bill to reimburse J. T. Miller, a disabled Confederate soldier, the amount expended by him for the purchase of an artificial limb; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. WILLIAMS, by leave, presented

No. 352, Senate bill to amend and re enact first section of acts of 1893 and 1894, chapter 198, for the protection of game in the counties of Charlotte and Mecklenburg; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), was placed on the calendar.

✓ Mr. WICKHAM, by leave, presented

Substitute for Senate bill No. 88, to provide for and regulate elections by ballot, and to repeal an act entitled an act to provide for the method of voting by ballot, approved March 6, 1894, and to repeal an act entitled an act in relation to the preservation of order at the polls, approved March 5, 1890, and to repeal all acts or parts of acts in conflict with this act; which, on his motion, was read the

first, ordered to be read a second time, and ordered to be printed, and referred to the committee on privileges and elections

✓ Mr. KEEZELL, from the committee on printing, made a partial report in reference to printing the Acts of Assembly in two volumes, &c., and also presented a letter from the public printer to the committee on that subject; and, on motion of Mr. LITTLE, the committee was ordered to investigate further and report.

Mr. JONES, from the committee for courts of justice, reported without amendment,

✓ No. 256, Senate bill to amend and re-enact section 2660, Code of Virginia, fixing the order in which debts of decedent are to be paid.

He, from the same committee, reported with amendments,

✓ No. 279, Senate bill to amend and re-enact sections 197 and 198 of the Code of Virginia, relative to exemption of members of General Assembly from arrest or obedience to civil process of courts.

He, from the same committee, reported without amendment,

✓ No. 298, Senate bill to amend and re-enact section 2225 of the Code of Virginia, relating to marriage within certain degrees.

And he, from the same committee, reported with an amendment,

✓ No. 312, Senate bill to amend and re-enact section 164 of Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 164 of the Code of Virginia so as to allow fourth-class postmasters to act as notaries, approved February 15, 1894.

Mr. JORDAN, from the committee on agriculture, mining and manufacturing, reported with a substitute,

✓ No. 39, Senate bill making the owner or other person in whose control, or on whose premises a dog usually stays, liable to the owner of sheep killed, maimed or worried by such dogs, for damages for such killing, maiming or worrying.

Mr. STUBBS, from committee on public institutions and education, reported without amendment,

✓ No. 83, House bill to compensate school trustees, other than clerks of district school boards, in the counties of Gloucester and Mathews.

And he, from the same committee, reported with an amendment,

✓ No. 310, Senate bill allowing Union Theological Seminary to have use of convicts in the penitentiary to assist in the improvement of its grounds and the erection of its new buildings near the city of Richmond, Virginia.

On motion of Mr. BUCHANAN,

✓ Resolved (the House of Delegates concurring), That the General Assembly will proceed this day, at one o'clock P. M., to the election of a corporation judge of the city of Bristol, to fill the vacancy occasioned by the resignation of Judge Wm. F. Rhea, and immediately after the execution of this first order, will proceed to the election of a corporation judge for the city of Bristol, for the full term,

✓ beginning January 1, 1897; was taken up, and, on his further motion (the rules being suspended therefor), was agreed to, and he ordered to inform the House of Delegates thereof.

Mr. FLANAGAN, by leave, presented

✓ Three petitions from sundry citizens of Powhatan county, praying for the repeal of certain acts of assembly, in relation to the bonds of that county; which, on his motion, was referred to the committee on general laws.

✓ Mr. ST. CLAIR, by leave, presented

A petition for the relief of G. W. Spangler, an old Confederate soldier; which, on his motion, was referred to the committee on finance and banks.

Mr. SANDS, from committee on general laws, reported with a substitute,

✓ No. 105, Senate bill to prescribe the amount of recovery from any insurance company or association, in case of damage or loss by fire, water, lightning, tornado, cyclone, or otherwise.

✓ The bill was subsequently taken up, and, on motion of Mr. SANDS, made a special order for Thursday, the 23d, at one o'clock.

✓ No. 168, Senate bill to incorporate the Portsmouth, Gilmerton and Smithfield Railway Traction Company, was taken up, read the third time, and passed with its title.

✓ No. 193, Senate bill to amend and re-enact the third section of an act approved February 3, 1888, entitled an act to incorporate the Berkley Street Railway Company, was taken up, read the third time, and passed with its title.

✓ No. 229, Senate bill to amend the charter of the West Norfolk and Port Norfolk Drawbridge Company, was taken up, read the third time, and passed with its title.

✓ No. 233, Senate bill to amend and re-enact section 10 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers and conditions upon which they are to be sold, and fixing the penalties incurred for violations of the same, approved February 24, 1890, as amended and re-enacted by an act entitled an act to amend and re-enact sections 2, 4, 6, and 10 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers and the guarantee and conditions upon which they are to be sold, and fixing the penalties incurred for violations of the same, approved March 9, 1894, was taken up, read the third time, and passed with its title.

On motion of Mr. WITHERS, he was ordered to inform the House of Delegates thereof.

✓ No. 50, Senate bill for the relief of Charles Straus, trustee, under a deed of trust from Levy & Davis, was taken up, read the third time, and passed with its title. Ayes, 32; noes, none.

Ayes—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Flanagan, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jordan, Keezell, LeCato, Little, Lowry, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Williams,—32.

✓ No. 145, Senate bill to amend and re-enact section 6 of the charter of the city of Williamsburg, and to authorize the common council to issue bonds for the sum of five thousand dollars, for the purpose of erecting and furnishing a school building for white children of said city, was taken up, read the third time, and passed with its title.

✓ No. 251, Senate bill to authorize Thomas W. Shelton, deputy treasurer of Patrick county, to collect taxes due for the year 1892, was taken up, read the third time, and passed with its title.

✓ No. 248, Senate bill to incorporate the Sabine Development Company, was taken up, read the third time, and passed with its title.

✓ No. 250, Senate bill to incorporate The True Friends Aid Society, was taken up, read the third time, and passed with its title.

✓ No. 206, Senate bill to authorize the United Security, Life, and Trust Company of Pennsylvania to do business in this State without the deposit of securities with the treasurer, was taken up, read the third time, and passed with its title.

✓ No. 217, Senate bill to repeal the charter of the National City Fire Insurance Company, which was granted by the corporation court of the city of Alexandria, on the 19th day of March, 1894, under section 1145 of the Code of Virginia, and acts amendatory thereof, was taken up, read the third time, and passed with its title.

✓ No. 218, Senate bill to repeal the charter of the Potomac Insurance Company of Alexandria, Virginia, which was granted by the corporation court of the city of Alexandria, on the 25th day of March, 1893, under section 1145 of the Code of Virginia, and acts amendatory thereof, was taken up, read the third time, and passed with its title.

✓ No. 219, Senate bill to repeal the charter of the Farmers and Mechanics Insurance Company of Alexandria, Virginia, which was granted by the judge of the corporation court of the city of Alexandria, on the 29th day of March, 1892, under section 1145 of the Code of Virginia, and acts amendatory thereof, was taken up, read the third time, and passed with its title.

✓ No. 220, Senate bill to repeal the charter of the National Home Insurance Company of America, which was granted by the judge of the corporation court of the city of Alexandria, on the 28th day of November, 1893, under section 1145 of the Code of Virginia, and acts amendatory thereof, was taken up, read the third time, and passed with its title.

✓ No. 221, Senate bill to repeal the charter of the United Fire Insurance Company, which was granted by the judge of the corporation court of the city of Alexandria, on the 2d day of April, 1894,

- ✓ under section 1145 of the Code of Virginia, and acts amendatory thereof, was taken up, read the the third time, and passed with its title.
- ✓ No. 222, Senate bill to repeal the charter of the Phoenix Fire and Marine Insurance Company of Alexandria, Virginia, which was granted by the judge of the corporation court of the city of Alexandria, on the 26th day of March, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof, was taken up, read the third time, and passed with its title.
- ✓ No. 223, Senate bill to repeal the charter of the Potomac Fire and Marine Insurance Company of Alexandria, Virginia, which was granted by the corporation court of the city of Alexandria, on the 24th day of January, 1895, and acts amendatory thereof, was taken up, read the third time, and passed with its title.
- ✓ No. 225, Senate bill to repeal the charter of the Planters Insurance Company of Alexandria, Va., which was granted by the corporation court of the city of Alexandria on the 22d day of May, 1893, under section 1145 of the Code of Virginia, and amendatory acts, was taken up, read the third time, and passed with its title.
- ✓ No. 226, Senate bill to repeal the charter of the Farmers and Mechanics Fire Insurance Company of Alexandria county, Va., which was granted by the judge of the circuit court of Alexandria county in January, 1895, under section 1145 of the Code of Virginia, and amendatory acts, was taken up, read the third time, and passed with its title.
- ✓ No. 267, Senate bill to repeal the charter of the Provident Fire Insurance Company of Richmond, Va., which was granted by the judge of the circuit court of the city of Richmond on the 21st day of November, 1893, under section 1145 of the Code of Virginia, and amendatory acts, was taken up, read the third time, and passed with its title.
- ✓ No. 268, Senate bill to repeal the charter of the Atlantic Fire Insurance Company of Richmond, Va., which was granted by the judge of the circuit court of the city of Richmond on the 2d day of February, 1894, under section 1145 of the Code of Virginia, and amendatory acts, was taken up, read the third time, and passed with its title.
- ✓ No. 269, Senate bill to repeal the charter of the German-American Fire Insurance Company of Virginia, which was granted by the judge of the circuit court of the city of Richmond on the 7th day of July, 1892, under section 1145 of the Code of Virginia, and amendatory acts, was taken up, read the third time, and passed with its title.
- ✓ No. 288, Senate bill to repeal the charter of the First National Fire Insurance Company of Fredericksburg, Va., which was granted by the judge of the corporation court of the city of Fredericksburg on the 22d day of July, 1893, under section 1145 of the Code of Vir-

ginia, and amendatory acts, was taken up, read the third time, and passed with its title.

✓ No. 291, Senate bill to repeal the charter of the Old Dominion Fire Insurance Company of Portsmouth, Virginia, which was granted by the judge of the court of hustings for the city of Portsmouth, on the 20th day of July, 1892, under section 1145 of the Code of Virginia and amendatory acts, was taken up, read a third time, and passed with its title.

✓ No. 319, Senate bill to amend and re-enact an act entitled an act for the protection of fish in Bland, Tazewell and Smyth counties, was taken up, read the third time, and passed with its title.

✓ No. 279, Senate bill to amend and re-enact sections 197 and 198 of the Code of Virginia, relative to exemption of members of General Assembly from arrest or obedience to civil process of courts, which, on motion of Mr. WICKHAM, was taken up, read the second time, and on his further motion (the rules being suspended therefor), committee amendments agreed to, and ordered to be engrossed and read a third time, and being forthwith engrossed, on his further motion (two-thirds concurring), was read the third time and passed with its title, and Mr. WICKHAM ordered to inform the House of Delegates thereof.

✓ No. 102, House bill to enable the supervisors of Hanover county, if they deem it expedient, to construct a road from Chickahominy swamp, between the Mechanicsville and the Richmond and Henrico turnpikes, to the city of Richmond, and to appropriate funds for that purpose out of the county levy of the said county of Hanover, was taken up, read the second time, and ordered to be read a third time; the committee's amendments agreed to, and, on motion of Mr. WICKHAM, the bill was further amended, which amendments were agreed to, and, on his further motion (two-thirds concurring), was read the third time and passed with its title.

✓ A message was received from the House of Delegates by Mr. HARWOOD, who informed the Senate that that House was ready on its part to proceed with the execution of the joint order of the day.

Ordered, that Mr. BUCHANAN inform the House of Delegates that the Senate is also ready on its part to proceed.

✓ For corporation judge for the city of Bristol, for the unexpired term, Mr. BUCHANAN nominated Wm. S. Stuart.

There being no additional nominations, it was

✓ Ordered, that Mr. BUCHANAN inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. MORGAN, who informed the Senate that no additional nomination had been made in that House.

The roll was then called with the following result :

For William S. Stuart, - - - 30

Senators who voted for Mr. STUART are—Messrs. Barnes, Buchanan, Claytor, Clement, Echols, Flanagan, Green, Hale, Hay, G. W. Jackson, Jones, Jordan, Keezell, LeCato, Lowry, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams and Withers—30.

The PRESIDENT appointed Messrs. BUCHANAN and SNEAD as a committee on the part of the Senate to meet a similar committee on the part of the House of Delegates, and count the joint vote; who, through their chairman, Mr. BUCHANAN, reported :

Whole number of votes cast,	-	-	125
Necessary to a choice,	-	-	63
Of which William S. Stuart received,	-	-	111
And Stuart F. Lindsay received,	-	-	14

William S. Stuart having received a majority of the votes cast, was declared duly elected corporation judge for the city of Bristol for the unexpired term of Judge Rhea.

For corporation judge for the city of Bristol, Mr. BUCHANAN nominated William S. Stuart.

There being no additional nomination, it was ordered that Mr. LITTLE inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. STOVALL, who informed the Senate that that House was ready on its part to proceed.

The roll was then called with the following result:

For William S. Stuart,	-	-	-	30
For Stuart F. Lindsay,	-	-	-	2

Senators who voted for Mr. STUART are—Messrs. Barnes, Buchanan, Claytor, Clement, Echols, Flood, Hale, Hay, Jones, Jordan, Keezell, LeCato, Little, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—30.

Senators who voted for Mr. LINDSAY are—Messrs. Flanagan and McCune.

The PRESIDENT appointed Messrs. BUCHANAN and SNEAD as the committee on the part of the Senate to meet a similar committee on the part of the House of Delegates, and count the joint vote; who, through their chairman, Mr. SNEAD, reported :

Whole number of votes cast,	-	-	127
Necessary to a choice,	-	-	64
Of which William S. Stuart received,	-	-	112
And Stuart F. Lindsay received,	-	-	15

William S. Stuart having received a majority of the votes cast,

✓ was declared duly elected corporation judge for the city of Bristol for the legal term of that office.

✓ The special order for 1 o'clock to-day, House bill No. 43, on motion of Mr. SANDS, was passed by and made the special order for Friday next at 1 o'clock.

On motion of Mr. JONES, the Senate adjourned until to-morrow, twelve o'clock.

SATURDAY, JANUARY 18, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Journal of yesterday read by the clerk.

A communication was received from the House of Delegates by their clerk, which was read as follows:

In the House of Delegates, January 15, 1896.

✓ The House of Delegates has passed Senate bills entitled an act repealing an act entitled an act for the protection of fish in Bland, Tazewell, and Smythe counties, so far as it relates to the county of Bland, No. 141; and an act to amend and re-enact sections 197 and 198 of the Code of Virginia, relative to exemption of members of General Assembly from arrest or obedience to civil process of courts, No. 279.

They have passed House bills entitled an act to amend and re-enact section 2940 of the Code of Virginia, in relation to warrants for small claims, as amended and re-enacted by chapter 74 of the Acts of Assembly 1889-'90 and chapter 541 of the Acts of Assembly 1893-'94, No. 88; an act to amend and re-enact section 3211 of the Code of Virginia, in relation to the remedy by motion for judgment, after fifteen days' notice, on contracts generally, No. 108; an act to allow William N. Conant to erect a wharf on Chincoteague Bay, in Accomac county, No. 127; an act to allow S. Wilkins Matthews to erect a wharf on Powell's Bay, at Wishart Point, in Accomac county, No. 128; an act to allow Asher L. Matthews and Benjamin F. Collins to erect a wharf on Chincoteague Bay, in Accomac county, No. 129; an act to allow Elva A. Jeffreys to erect a wharf on Chincoteague Bay, in Accomac county, No. 130; an act to exempt the Green Hill Cemetery Company, near Berryville, from taxation, No. 132; an act for the relief of Mrs. Eliza B. Burch, of Petersburg, Va., No. 133; an act to authorize the governor of the commonwealth of Virginia to have removed from the penitentiary, and the judges of the county and corporation courts to have removed from the jails of such counties and corporations prisoners who have contracted any contagious or infectious disease dangerous to the public health, No. 137; an act to prevent the extermination of game in Clarke county, No. 140;

✓ an act to amend and re-enact section 3094 of the Code of Virginia, in relation to the place where writs of prohibition or mandamus from the court of appeals shall issue and be tried, No. 144 ; an act to allow a party to impeach a witness called by himself in certain cases, No. 145 ; an act to amend and re-enact section 3225 of the Code of Virginia of 1887, in relation to the service of process against or notice to a corporation, No. 169 ; an act to prescribe times for holding courts in Fourteenth judicial circuit, No. 170 ; an act to amend and re-enact section 3034 of the Code of Virginia, with reference to the judgment of a court or judge trying a writ of habeas corpus, No. 171 ; and an act to amend and re-enact section 57 of the charter of the city of Manchester, No. 174.

In which bills they request the concurrence of the Senate.

✓ No. 88, House bill entitled an act to amend and re-enact section 2940 of the Code of Virginia in relation to warrants for small claims, as amended and re-enacted by chapter 74 of Acts of Assembly 1889-90, and chapter 541 of the Acts of Assembly, was taken up, read a second time, and referred to the committee for courts of justice.

✓ No. 108, House bill entitled an act to amend and re-enact section 3211 of the Code of Virginia in relation to the remedy by motion for judgment, after fifteen days' notice, on contracts generally, was taken up, read a second time, and referred to the committee for courts of justice.

✓ No. 127, House bill entitled an act to allow William N. Conant to erect a wharf on Chincoteague Bay, in Accomac county, was taken up, read a second time, and, on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.

✓ No. 128, House bill entitled an act to allow S. Wilkins Matthews to erect a wharf on Powell's Bay, at Wishart Point, in Accomac county, was taken up, read a second time, and, on motion of Mr. LECATO (the rules being suspended therefor), was placed on the calendar.

✓ No. 129, House bill entitled an act to allow Asher L. Matthews and Benjamin F. Collins to erect a wharf on the Chincoteague Bay, in Accomac county, was taken up, read a second time, and, on motion of Mr. LECATO (the rules being suspended therefor), was placed on the calendar.

✓ No. 130, House bill entitled an act to allow Elva N. Jeffreys to erect a wharf on the Chincoteague Bay, in Accomac county, was taken up, read a second time, and, on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.

✓ No. 132, House bill entitled an act to exempt from taxation the property of Green Hill Cemetery Company, near Berryville, Va., was taken up, read a second time, and referred to the committee on finance and banks.

✓ No. 133, House bill entitled an act for the relief of Mrs. Eliza B.

Burch, of Petersburg, Va., was taken up, read a second time, and referred to the committee on finance and banks.

✓ No. 137, House bill entitled an act to authorize the governor of the Commonwealth of Virginia to have removed from the penitentiary, and the judges of the county and corporation courts to have removed from the jails of such counties and corporations, prisoners who have contracted any contagious or infectious disease dangerous to the public health, was taken up, read a second time, and referred to the committee on public institutions and education.

✓ No. 140, House bill entitled an act to prevent the extermination of game in Clarke county, was taken up, read a second time, and referred to the committee on fish and game.

✓ No. 144, House bill entitled an act to amend and re-enact section 3094 of the Code in relation to the place where writs of prohibition or mandamus from the court of appeals shall issue and be tried, was taken up, read a second time, and referred to the committee for courts of justice.

✓ No. 145, House bill entitled an act to allow a party to impeach a witness called by himself in certain cases, was taken up, read a second time, and referred to the committee for courts of justice.

✓ No. 169, House bill entitled an act to amend and re-enact section 3225 of the Code of 1887 in relation to the service of process against or notice to a corporation, was taken up, read a second time, and referred to the committee for courts of justice.

✓ No. 170, House bill entitled an act to prescribe times for holding courts in fourteenth judicial circuit, was taken up, read a second time, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ No. 171, House bill entitled an act to amend and re enact section 3034 of the Code of Virginia with reference to the judgment of a court or judge trying a writ of habeas corpus, was taken up, read a second time, and referred to the committee for courts of justice.

✓ No. 174, House bill entitled an act to amend and re-enact section 57 of the charter of the city of Manchester, and to validate all taxes and assessments in said city made prior to and including the years 1895 and 1896, was taken up, read a second time, and on motion of Mr. FLANAGAN (the rules being suspended therefor), placed on the calendar; and on his further motion (two-thirds concurring), passed with its title.

Mr. SANDS, from the committee on general laws, reported with an amendment,

✓ No. 224, Senate bill to repeal the charter of the Old Dominion Fire Association of Alexandria, Va., which was granted by the judge of the circuit court of the city of Alexandria on the 6th day of November, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof.

And he, from the same committee, reported with an amendment,

✓ No. 317, Senate bill to repeal the charter of the Roanoke Under-

✓ writers' Agency of Roanoke, Va., which was granted by the judge of the corporation court of the city of Roanoke on the 25th day of April, 1893, under section 1145 of the Code of Virginia, and amendatory acts.

Mr. ECHOLS, from committee on roads and internal navigation, reported without amendment,

✓ No. 259, Senate bill to incorporate the Chesterfield Railroad Company.

And he, from the same committee, reported with amendments,

✓ No. 180, Senate bill to incorporate the Wythe County Railroad Company.

✓ Mr. WICKHAM, from the committee on finance and banks, reported with a recommendation that it be referred to the committee on general laws,

✓ Petition of E. Thomas Perdue and other tax-payers of Powhatan county, praying for the repeal of certain Acts of Assembly in relation to the bonds of that county.

✓ It was ordered to be so referred.

He, from the same committee, reported with a recommendation that it be referred to the committee on general laws,

✓ Petition of James H. Maxey and other tax-payers of Powhatan, praying for the repeal of certain Acts of Assembly in relation to the bonds of that county.

✓ It was ordered to be so referred.

✓ He, from the same committee, reported with a recommendation that it be referred to the committee on general laws,

✓ Petition of Davis Tabor and tax-payers of Powhatan county, praying for the repeal of certain Acts of Assembly in relation to the bonds of said county.

It was ordered to be so referred.

He, from the same committee, reported without amendment,

✓ No. 144, Senate bill to amend and re-enact section 18 of chapter 1 of an act entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixtures thereof, in cases where a court certificate is required, approved March 6, 1890, in reference to taxing insurance companies.

He, from the same committee, reported with amendments,

✓ No. 234, Senate bill to allow W. C. Chaney, deputy for John R. Whitehead, late treasurer of Pittsylvania county, additional time to levy for and collect tax tickets for years 1888, 1889, 1890, 1891, 1892 and 1893, held by said Chaney and not returned delinquent.

He, from the same committee, reported with an amendment,

✓ No. 272, Senate bill to allow B. M. Clements, deputy for J. R. Whitehead, late treasurer of Pittsylvania county, further time to

distrain, levy for and collect certain tax tickets for which he has accounted to the State.

He, from the same committee, reported without amendment,

✓ No. 336, Senate bill to repeal an act entitled an act to allow Mrs. W. C. Corson to draw from the treasury of the State any salary due the estate of W. C. Corson, deceased, and to authorize the auditor of public accounts to pay the same, approved December 19, 1895.

✓ The bill was subsequently taken up, and, on motion of Mr. ECHOLS (the rules being suspended therefor), was read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), was read the third time and passed with its title.

And he, from the same committee, reported without amendment,

✓ No. 337, Senate bill to authorize the board of education to pay Mrs. W. C. Corson any salary due the estate of William C. Corson, late superintendent of schools of Cumberland county.

✓ The bill was subsequently taken up, and, on motion of Mr. ECHOLS (the rules being suspended therefor), was read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, was, on his further motion (two-thirds concurring), read the third time and passed with its title—ayes, 27; noes, none.

✓ AYES—Messrs. Barnes, Buchanan, Claytor, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, G. W. Jackson, Jones, Kane, Kezzell, LeCato, Lowry, Mason, McCune, Mushbach, Parr, Sands, St. Clair, Stubbs, Turnbull, Wickham, Williams, and Withers—27.

NOES—None.

Mr. BUCHANAN, by leave, presented

✓ No. 353, Senate bill to repeal an act entitled an act to incorporate the town of Mendota, in the county of Washington, approved December 19th, 1889; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. KANE, by leave, presented

✓ No. 354, Senate bill to amend and re-enact section 8 of an act entitled an act to incorporate the Ohio River and Charleston Railroad Company as the successor of the Charleston, Cincinnati and Chicago Railroad Company, approved February 12th, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. KANE, by leave, presented

✓ No. 355, Senate bill to amend chapter 130 of the Code of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. LECATO, by leave, presented

✓ No. 356, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 2088 of the Code of Virginia in re-

lation to hauling seines or setting traps in the waters of Accomac and Northampton counties, approved March 3d, 1892; which, on his motion was read the first, ordered to be read a second time, and referred to the committee on fish and game.

✓ Mr. LE CATO, by leave, presented

✓ No. 357, Senate bill to amend and re-enact section 10 of chapter 743, Acts of Assembly, 1893, with reference to the unlawful taking or catching of crabs; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

✓ Mr. LE CATO, by leave, presented

✓ No. 358, Senate bill to amend and re-enact an act entitled an act to regulate and protect the crabbing industry, and to prohibit non-residents from catching crabs in the waters of Virginia, approved March 7th, 1894; and to repeal an act entitled an act to protect the crab industry of the commonwealth, approved May 12th, 1887; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

✓ Mr. ECHOLS, by leave, presented

✓ No. 359, Senate bill to incorporate the Virginia Telephone Manufacturing Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

✓ Mr. TURNBULL, by leave, presented

✓ No. 360, Senate bill to relieve Marcellus Arvin, of the county of Lunenburg, from the payment of a fine imposed upon him by the county court of said county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. MASON, by leave, presented

✓ No. 361, Senate bill to repeal the charter of the Westmoreland Insurance Company, of Colonial Beach, Va., which was granted by the judge of the circuit court of Westmoreland county on the 16th day of July, 1892, under section 1145 of Code of Virginia and amendatory acts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

✓ Mr. FLOOD, by leave, presented

✓ No. 362, Senate bill for the relief of C. D. Diggs, late deputy treasurer of the county of Cumberland; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. MUSHBACH, by leave, presented

✓ No. 363, Senate bill to amend and re enact an act entitled an act to incorporate the Alexandria and Fairfax Passenger Railway Company, approved February 18th, 1890, and to amend and re-enact an act entitled an act to amend and re-enact the first section of an act approved February 18th, 1890, entitled an act to incorporate the

✓ Alexandria and Fairfax Passenger Railway Company, approved February 25, 1892; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. KANE, by leave, presented

✓ No. 364, Senate bill authorizing the circuit court of Wise county to appoint a special commissioner to transcribe certain records; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ No. 83, House bill to compensate school trustees, other than clerks of district school boards, in the counties of Gloucester and Mathews, was taken up, read the third time, and passed with its title.

✓ No. 153, House bill entitled an act to allow the voters of Northampton county to vote on a fence law, was taken up, read the third time, and on motion of Mr. LE CATO, the bill was amended; and on his further motion, the bill as amended was passed with its title.

✓ No. 330, Senate bill to amend sections 1 and 7 of a charter granted to the Gethsemane Lodge of the State of Virginia, No. 1, on the 28th day of November, 1894, by the judge of the circuit court of King George county in vacation, and to confirm, approve and ratify such charter as amended, was taken up, read the second time, committee's amendments agreed to, and ordered to be engrossed and read a third time.

✓ No. 312, Senate bill to amend and re-enact section 164 of Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 164 of the Code of Virginia so as to allow fourth-class postmasters to act as notaries, approved February 15, 1894, was taken up, the committee's amendments agreed to, and on motion of Mr. MASON, the bill was further amended, and ordered to be engrossed and read a third time.

✓ No. 39, Senate bill making the owner, or other person in whose control or on whose premises a dog usually stays, liable to the owner of sheep killed, maimed or worried by such dogs, for damages for such killing, maiming or worrying, was taken up, the committee's amendments agreed to, and on motion of Mr. WICKHAM, the bill was further amended and ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), the bill as amended was read the third time, and passed with its title.

The following Senate bills were taken up, read the second time, and ordered to be engrossed and read a third time:

✓ No. 256, Senate bill to amend and re-enact section 2660, Code of Virginia, fixing the order in which debts of decedent are to be paid.

✓ No. 298, Senate bill to amend and re-enact section 2225 of the Code of Virginia, relating to marriage within certain degrees.

No. 329, Senate bill to approve, ratify and confirm the charter of

the Grand Order of the Peace and Light Society of King George county, Virginia, which charter was granted in vacation by the judge of the circuit court of King George county, on the 4th day of October, 1894.

✓ No. 333, Senate bill to incorporate the Potomac and Ohio Railroad Company.

✓ No. 347, Senate bill to authorize J. E. Blakemore, J. C. Towles and V. E. Towles, or any one of them, to erect a pier-head in the Rappahannock river, near Towles' Point.

✓ No. 352, Senate bill to amend and re-enact first section of Acts of 1893 and 1894, chapter 198, for the protection of game in the counties of Charlotte and Mecklenburg.

✓ Resolved, As a mark of respect to the memory of General Robert E. Lee, the anniversary of whose birth occurs on Sunday, January 19th inst., that when the Senate adjourns to-day, it adjourn to meet at twelve o'clock noon on Tuesday, the 21st inst., was taken up and rejected.

Mr. GREEN, by leave, presented

✓ A petition from citizens of the fifteenth judicial circuit asking for an increase of salary to the judge of said district, which, on his motion, was referred to the committee on finance and banks.

✓ On motion of Mr. CLAYTOR, leave of absence was granted to Mr. KANE for two days.

✓ On motion of Mr. BARNES, leave of absence was granted to Judge BROWN until Tuesday.

On motion of Mr. WICKHAM, the Senate adjourned until Monday, twelve o'clock.

MONDAY, JANUARY 20, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Z. T. Sweeney.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk, was read as follows:

In House of Delegates, January 16, 1896.

✓ The House of Delegates has passed Senate bills entitled an act to amend and re-enact an act entitled an act to incorporate the Bridge-water and Forge Granite and Lumber Company, approved March 3, 1892, as amended by an act approved January 22, 1894, and to amend the title thereto, so as to read the Fredericksburg Lumber and Granite Company, No. 3; an act extending further time to the town of Iron Gate for the collection of unpaid taxes due said town, No. 238; and an act to enable the rector and visitors of the Univer-

sity of Virginia to repair the loss sustained by that institution by the fire of October 27, 1895, No. 275.

They have passed House bills entitled an act to protect partridges (or quail) in the county of Montgomery, No. 155; and an act to authorize Clifton School district, in the county of Alleghany, to borrow money, No. 156.

In which bills they request the concurrence of the Senate.

No. 155, House bill entitled an act to protect partridges (or quail), pheasants, and wild turkeys in the county of Montgomery, was taken up, twice read, and referred to the committee on fish and game.

No. 156, House bill entitled an act to authorize Clifton School district, in the county of Alleghany, to borrow money, was taken up, twice read, and, on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

Subsequently the bill was taken up, and, on his further motion (two-thirds concurring), was read the third time, and passed with its title.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported without amendments,

No. 283, Senate bill to permit certain county officers of the county of Warwick, who have been named and designated in a bill to incorporate the city of Newport News, in the county of Warwick, for the like officers for the city of Newport News, to serve as such until the first day of July, 1896, and until their successors are duly elected and qualified.

The bill was subsequently taken up, and, on motion of Mr. BARNES, read the second time, and ordered to be engrossed and read a third time.

A message was received from the governor, by his private secretary, announcing a vacancy in the fifth judicial circuit, as follows:

GOVERNOR'S OFFICE,

RICHMOND, VA., January 20, 1896.

To the General Assembly of Virginia:

It becomes my painful duty to inform you that official information has reached me of a vacancy in the judgeship of the fifth judicial circuit of this State, occasioned by the death of the Hon. Taylor Berry, who was an honored member of the Senate of Virginia for years, and from which position he recently retired to accept and adorn the bench as the judge of said circuit.

CHAS. T. O'FERRALL.

Mr. JONES, from the committee for courts of justice, reported without amendment,

No. 198, Senate bill to amend and re-enact section 2954 of the Code of Virginia, in regard to proceedings before a justice for release to claimant of property taken under distress warrant or levied on under execution on judgment of a justice, and when and how appeal allowed.

- He, from the same committee, reported with an amendment,
✓ No. 243, Senate bill to require the clerks of the circuit courts for the several counties in this State to keep their offices open for the transaction of business.

- He, from the same committee, reported without amendment,
✓ No. 326, Senate bill to amend and re-enact section 4018 of the Code of Virginia in relation to venire facias in case of felony, what to command, number of persons to be summoned, and how selected.

- He, from the same committee, reported with an amendment,
✓ No. 118, House bill to authorize the circuit court of Clarke county, or the judge thereof in vacation, to appoint an additional commissioner in chancery.

- ✓ The bill was subsequently taken up, read the third time, committee's amendments agreed to, and passed with its title.

- He, from the same committee, reported without amendment,
✓ No. 135, House bill to require sheriffs and sergeants of the counties and cities of this State to report to the courts of their respective counties and cities the number of prisoners confined in their respective jails.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

- He, from the same committee, reported without amendment,
✓ No. 108, House bill to amend and reenact section 3211 of the Code of Virginia in relation to the remedy by motion for judgment after fifteen days' notice on contracts generally.

- ✓ The bill was subsequently taken up, read the third time, committee's amendments agreed to, and passed with its title.

- And he, from the same committee, reported without amendment,
✓ No. 144, House bill to amend and re-enact section 3094 of the Code of Virginia in relation to the place where writs of prohibition or mandamus from the court of appeals shall issue and be tried.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

- And he, from the same committee, reported without amendment,
✓ No. 87, House bill to prescribe the times for holding the circuit courts for the first judicial circuit.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

Mr. STUBBS, from the committee on general laws, reported with a substitute,

- ✓ No. 33, Senate bill to incorporate the Fredericksburg Telephone Company.

- ✓ The bill was subsequently taken up, and the committee's substitute agreed to, which was read the second time, and ordered to be engrossed and read a third time.

He, from the same committee, reported without amendment,

✓ No. 343, Senate bill to incorporate the Piedmont Mining and Manufacturing Company.

He, from the same committee, reported without amendment,

✓ No. 306, Senate bill to repeal the charter of the Commonwealth Fire Insurance Company of Winchester, Va., which was granted by the judge of the corporation court of the city of Winchester, on the 17th day of July, 1893, under section 1145 of the Code of Virginia and amendatory acts.

He, from the same committee, reported without amendment,

✓ No. 308, Senate bill to repeal the charter of the Shenandoah Valley Fire Insurance Company of Winchester, Va., which was granted by the judge of the corporation court of the city of Winchester, on the 8th day of September, 1893, under section 1145 of the Code of Virginia and amendatory acts.

He, from the same committee, reported without amendment,

✓ No. 341, Senate bill to repeal the charter of the Virginia Farmers Insurance Company of Norfolk, Va., which was granted by the judge of the corporation court of the city of Norfolk, on the 9th day of August, 1893, under section 1145 of the Code of Virginia and amendatory acts.

He, from the same committee, reported without amendment,

✓ No. 342, Senate bill to repeal the charter of the Norfolk Fire and Marine Insurance Company of Norfolk, Va., which was granted by the judge of the corporation court of the city of Norfolk, on the 25th day of May, 1893, under section 1145 of the Code of Virginia and amendatory acts.

He, from the same committee, reported without amendment,

✓ No. 339, Senate bill to repeal the charter of the Pequannock Fire Association of Staunton, Va., which was granted by the judge of the corporation court of the city of Staunton, on the 1st day of December, 1892, under section 1145 of the Code of Virginia, and amendatory acts.

And he, from the same committee, reported with a substitute,

✓ No. 113, Senate bill to create the office of Insurance Commissioner, and to transfer to the said commissioner all the duties heretofore imposed upon and performed by the auditor of public accounts, in relation to insurance and insurance companies; and to further define the duties and powers of said commissioner, and to provide for his compensation and the expenses of this office; and, on his motion, the substitute was ordered to be printed.

Mr. GREEN, by leave, presented

✓ No. 365, Senate bill to amend section 3921 of the Code of Virginia in regard to the illicit traffic of ardent spirits; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. PARR, by leave, presented

✓ No. 366, Senate bill to allow a pension to Martha Gilley, of Patrick county; which, on his motion, was read the first, ordered

to be read a second time, and referred to the committee on finance and banks.

Mr. JONES, by leave, presented

- ✓ No. 367, Senate bill to incorporate the Lexington and Goshen Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. FLOOD, by leave, presented

- ✓ No. 368, Senate bill for the relief of Samuel R. Hubbard, a disabled Confederate soldier; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. FLOOD, by leave, presented

- ✓ No. 369, Senate bill to prescribe the number of jurors necessary to determine a verdict in civil cases; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. FLOOD, by leave, presented

- ✓ No. 370, Senate bill for the relief of W. B. Spencer for taxes for the years 1893, 1894 and 1895 on property destroyed by fire; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. FLOOD, by leave, presented

- ✓ No. 371, Senate bill for the relief of B. F. Coleman, of Prince Edward county, a disabled Confederate soldier; which, on his motion was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MORRIS, by leave, presented

- ✓ No. 372, Senate bill providing for the transfer to the credit of the Commonwealth of the balance of the interest which accumulated on the direct tax fund in the hands of the State depositories after paying any unpaid expenses in connection therewith; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MUSHBACH, by leave, presented

- ✓ No. 373, Senate bill to suppress bucket-shops and gambling in stocks, bonds, petroleum, cotton, grain, provisions, or other produce; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. LITTLE, by leave, presented

- ✓ No. 374, Senate bill to amend and re-enact sections 1 and 13 of an act entitled an act to incorporate the Fredericksburg and Lancaster Railroad Company, approved January 22, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MASON, by leave, presented

- ✓ No. 375, Senate bill for the relief of Fannie Grymes; which, on

his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MASON, by leave, presented

- ✓ No. 376, Senate bill for the relief of William Henry Harrison Cawood; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MUSHBACH, by leave, presented

- ✓ No. 377, Senate bill to amend and re-enact section 1 of an act to require the board of supervisors of Alexandria county to tax the sale of ardent spirits and malt liquors in said county, approved March 7, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. MUSHBACH, by leave, presented

- ✓ No. 378, Senate bill to amend and re-enact section 5 of an act entitled an act to create a board of excise commissioners for Alexandria county, approved March 2, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. KANE, by leave, presented

- ✓ No. 379, Senate bill for the relief of Joseph E. Tate and John S. King, sureties of E. H. Quillen, late treasurer of Scott county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. KANE, by leave, presented

- ✓ No. 380, Senate bill to amend an act to incorporate Shoemaker College, in Scott county, approved March 1, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. KANE, by leave, presented

- ✓ No. 381, Senate bill to provide for the relief and assistance of Shoemaker College, at Gate City, Va.; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.
- ✓ No. 312, Senate bill to amend and re-enact section 164 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 164 of the Code of Virginia, so as to allow fourth-class postmasters to act as notaries, approved February 15, 1894, was taken up, read the third time, and passed with its title.
- ✓ No. 256, Senate bill to amend and re-enact section 2660, Code of Virginia, fixing the order in which debts of decedent are to be paid, was taken up, read the third time, and passed with its title.
- ✓ No. 330, Senate bill to amend sections 1 and 7 of a charter granted to the Gethsemane Lodge, of the State of Virginia, No. 1, on the 28th day of November, 1894, by the judge of the circuit court of King George county in vacation, and to confirm, approve

and ratify such charter as amended, was taken up, read the third time, and passed with its title.

✓ No. 329, Senate bill to approve, ratify and confirm the charter of the Grand Order of the Peace and Light Society of King George county, Va., which charter was granted in vacation by the judge of the circuit court of King George county, on the 4th day of October, 1894, was taken up, read the third time, and passed with its title.

✓ No. 298, Senate bill to amend and re-enact section 2225 of the Code of Virginia, relating to marriage within certain degrees, was taken up, read the third time, and passed with its title.

✓ No. 333, Senate bill to incorporate the Potomac and Ohio Railroad Company, was taken up, read the third time, and passed with its title.

✓ No. 347, Senate bill to authorize J. E. Blakemore, J. C. Towles and V. E. Towles, or any one of them, to erect a pier-head in the Rappahannock river, near Towles Point, was taken up, read the third time, and passed with its title; on motion of Mr. MASON, the vote by which the bill passed was reconsidered, and on his further motion, was passed by.

✓ No. 352, Senate bill to amend and re-enact first section of Acts of 1893 and 1894, chapter 198, for the protection of game in the counties of Charlotte and Mecklenburg, was taken up, read the third time, and passed with its title.

The following House bills were taken up, read the third time, and passed with their titles:

✓ No. 127, House bill entitled an act to allow William N. Conant to erect a wharf on Chincoteague Bay in Accomac county.

✓ No. 128, House bill entitled an act to allow S. Wilkins Matthews to erect a wharf on Powell's Bay, at Wishart Point, in Accomac county.

✓ No. 129, House bill entitled an act to allow Asher L. Matthews and Benjamin F. Collins to erect a wharf on the Chincoteague Bay in Accomac county.

✓ No. 130, House bill entitled an act to allow Elva A. Jeffreys to erect a wharf on the Chincoteague Bay in Accomac county.

✓ No. 170, House bill entitled an act to prescribe terms for holding courts in the fourteenth judicial circuit.

✓ No. 108, House bill entitled an act to amend and re-enact section 3211 of the Code of Virginia, in relation to the remedy by motion for judgment after fifteen days' notice on contracts generally.

✓ No. 310, Senate bill allowing Union Theological Seminary to have use of convicts in the penitentiary to assist in the improvement of its grounds and the erection of its new buildings near the city of Richmond, Virginia, was taken up, read the second time, and passed by.

✓ No. 234, Senate bill to allow W. C. Chaney, deputy for John R. Whitehead, late treasurer of Pittsylvania county, additional time to levy for and collect tax tickets for years 1888, 1889, 1890, 1891,

1892 and 1893, held by said Chaney and not returned delinquent, was taken up, twice read, committee's amendments agreed to, and ordered to be engrossed and read a third time.

✓ No. 331, Senate bill to authorize the board of supervisors of Norfolk county to issue bonds, was taken up, twice read, and ordered to be engrossed and read a third time.

✓ No. 317, Senate bill to repeal the charter of the Roanoke Underwriters' Agency, of Roanoke, Virginia, which was granted by the judge of the corporation court of the city of Roanoke on the 25th day of April, 1893, under section 1145 of the Code of Virginia, and amendatory acts, was taken up, twice read, committee's amendments agreed to, and ordered to be engrossed and read a third time.

✓ No. 224, Senate bill to repeal the charter of the Old Dominion Fire Association of Alexandria, Virginia, which was granted by the judge of the circuit court of the city of Alexandria on the 6th day of November, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof, was taken up, twice read, committee's amendments agreed to, and ordered to be engrossed and read a third time.

✓ No. 180, Senate bill to incorporate the Wythe County Railroad Company, was taken up, twice read, committee's amendments agreed to, and ordered to be engrossed and read a third time.

✓ No. 335, Senate bill to amend section 1 of the town of Tazewell, in Tazewell county, was taken up, read the second time, and ordered to be engrossed and read a third time.

✓ No. 259, Senate bill to incorporate the Chesterfield Railroad Company, was taken up, read the second time, and ordered to be engrossed and read a third time.

✓ No. 272, Senate bill to allow B. M. Clement, deputy for J. R. Whitehead, late treasurer of Pittsylvania county, further time to distrain, levy for and collect certain tax tickets for which he has accounted to the State, was taken up, read the second time, committee's amendments agreed to, and ordered to be engrossed and read a third time.

Mr. FLANAGAN, by leave, presented

✓ Two petitions, asking the repeal of certain Acts of Assembly as to the bonds of Powhatan county; which, on his motion, was referred to the committee on general laws.

Mr. WILLIAMS, by leave, presented

✓ A resolution of the executive committee of the Virginia Normal and Collegiate Institute; which, on his motion, was referred to the committee on finance and banks.

✓ On motion of Mr. STUBBS, the following preamble and resolution was agreed to:

✓ Whereas the rules of the Senate are very imperfect, and should be revised, added to, and amended; now, therefore, be it

Resolved by the Senate, That the committee on rules be re-

quested to examine the rules of the Senate and report such amendments, revisions and additions to the rules as the committee may deem right and proper.

On motion of Mr. JONES, the Senate adjourned until to-morrow, twelve o'clock.

TUESDAY, JANUARY 21, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. H. C. Garrison.

Journal of yesterday read by the clerk.

A communication was received from the House of Delegates by their clerk, which was read as follows :

In House of Delegates, January 17, 1896.

The House of Delegates has passed Senate bills entitled an act to amend and re enact sections 615 and 616 of the Code of Virginia, in reference to the proceedings against delinquent treasurers and their sureties, and the liens of judgments and executions against such treasurers and their sureties, No. 18 ; an act to authorize a vote in the city of Danville and town of Neapolis upon the question of annexing and uniting said city and said town in one city, No. 175 ; an act to give M. C. Richardson, treasurer of Warren county, Va., power of levy and distress to collect certain uncollected tax tickets, No. 231 ; and an act to incorporate Basic City, Bridgewater and Piedmont Railway Company, No. 316.

They have agreed to a concurrent resolution in reference to the appointment of a joint committee to inquire into the charges preferred against the institution for the education of the deaf, dumb, and blind by one John L. Randolph, of Norfolk, Va.

They have passed House bills entitled an act to authorize Fairfield school district, in the county of Henrico, to issue bonds for the payment of a building for a graded school, No. 90 ; an act to prohibit the catching of fish with seines, wears, and nets in Lake Drummond, No. 162 ; an act authorizing inspectors of oysters to assign to the owners, managers, or lessees of hotels, grounds under the water for bathing purposes, No. 163 ; an act for the relief of E. F. Daniel, treasurer of Charlotte county, Va., No. 165 ; an act to incorporate the Chesterfield Railroad Company, No. 176 ; an act to vest in Charles Park England, Brodie C. Blunt, Joseph C. Gilman, James A. Mal-lory, and C. F. Cross, trustees for Independence Christian church, two acres of land situated in Hanover county, No. 177 ; an act to

protect sub-contractors, supply men, and laborers, No. 178; an act to amend section 2484 of Code of Virginia, in relation to the enforcement of mechanics' liens, No. 179; an act to amend and re-enact section 2 of an act entitled an act to amend and re-enact section 10 of an act entitled an act to incorporate the town of Hampton, in Elizabeth City county, Va., approved May 23, 1881, and to further amend and re-enact the said act by the adding of two additional sections thereto, to be known as sections 14 and 15, respectively, and to further amend and re-enact said act by changing the numbers of sections 14 and 15 in said act to 16 and 17, respectively, approved February 29, 1892, No. 181; an act to amend and re-enact section 1065, chapter 45, of the Code of Virginia, in relation to the duties of fire marshals in cities and towns, No. 182; an act to authorize the Board of Supervisors of Botetourt county to compromise a suit against E. J. McCulloch, late treasurer of said county, and Jacob Bierly and others, sureties on his official bond, No. 194; an act to constitute capitation tax a lien upon real estate owned by the person at the time such capitation tax is assessed, No. 195; an act to require treasurers to report the payment of delinquent taxes made before sale to clerk of court, and such clerk to endorse such payment on delinquent list in his office, No. 197; an act to repeal an act entitled an act to amend and re-enact section 666 of the Code of Virginia, in relation to delinquent lands purchased in the name of the auditor, approved March 5, 1894, No. 214.

In which concurrent resolution and bills they request the concurrence of the Senate.

House joint resolution as follows:

Resolved by the House of Delegates (the Senate concurring), That a committee of three on the part of the House, and two on the part of the Senate, be appointed to inquire into and report upon the charges preferred against the institution for the education of the deaf, dumb and the blind by one John L. Randolph, of Norfolk, Va., as published in the Richmond paper of the 18th and 19th inst. That said committee shall investigate its proceedings immediately, be empowered to sit during the session of the General Assembly, and to send for such persons and papers as it may need, and, if necessary, to visit the city of Staunton for the purpose of their investigation,

Was taken up, and, on motion of Mr. ECHOLS, agreed to by the following vote:

AYES—Messrs. Boykin, Brown, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lowry, Mason, Morris, Parr, Snead, St. Clair, Stubbs, Turnbull, Wickham, Williams and Withers—29.

NOES—None.

And he was ordered to inform the House of Delegates thereof.

- ✓ No. 90, House bill entitled an act to authorize Fairfield School district, in the county of Henrico, to issue bonds for the payment of a building for a graded school, was taken up, twice read, and referred to the committee on public institutions and education.
- ✓ No. 162, House bill entitled an act to prohibit the catching of fish with seines, wears, and nets in Lake Drummond, was taken up, twice read, and referred to the committee on fish and game.
- ✓ No. 163, House bill entitled an act authorizing inspectors of oysters to assign to the owners, managers, or lessees of hotels, grounds under the water for bathing-grounds, was taken up, twice read, and referred to the committee on fish and game.
- ✓ No. 165, House bill entitled an act for the relief of E. F. Daniel, treasurer of Charlotte county, Va., was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 176, House bill entitled an act to incorporate the Chesterfield Railroad Company, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 177, House bill entitled an act to vest in Charles Park England, Brodie C. Blunt, Joseph C. Gilman, James A. Mallory, and C. F. Cross, trustees for Independence Christian Church, two acres of land situated in Hanover county, was taken up, twice read, and, on motion Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, and on his further motion (two-thirds concurring), was read the third time, and passed with its title.
- ✓ No. 178, House bill entitled an act to protect sub-contractors, supply men, and laborers, was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 179, House bill entitled an act to amend section 2484 of the Code of Virginia in relation to the enforcement of mechanics' liens, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 181, House bill entitled an act to amend and re-enact section 2 of an act entitled an act to amend and re enact section 10 of an act entitled an act to incorporate the town of Hampton, in Elizabeth City county, Va., approved May 23, 1881, and to further amend and re-enact the said act by the adding of two additional sections thereto, to be known as sections 14 and 15, respectively, and to further amend and re enact said act by changing the numbers of sections 14 and 15 in said act to 16 and 17, respectively, approved February 29, 1892, was taken up, twice read, and referred to the committee on county, city, and town organizations.
- ✓ No. 182, House bill entitled an act to amend and re-enact section 1065, chapter 45 of the Code of Virginia in relation to the duties of fire marshals in cities and towns, was taken up, twice read, and referred to the committee on county, city, and town organizations.
- ✓ No. 194, House bill entitled an act to authorize the board of

✓ supervisors of Botetourt county to compromise a suit against E. J. McCulloch, late treasurer of said county, and Jacob Bierley and other sureties on his official bond, was taken up, twice read, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, and on his further motion (two thirds concurring), was read the third time, and passed with its title.

✓ No. 195, House bill entitled an act to constitute capitation tax a lien upon real estate owned by the person at the time such capitation tax is assessed, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 197, House bill entitled an act to require treasurers to report the payment of delinquent taxes made before sale to clerk of court, and such clerk to endorse such payment on delinquent list in his office, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 214, House bill entitled an act to repeal an act entitled an act to amend and re-enact section 666 of the Code of Virginia in relation to delinquent lands purchased in the name of the auditor, approved March 5, 1894, was taken up, twice read, and referred to the committee on finance and banks.

✓ A message was received from the House of Delegates by Mr. Cook, informing the Senate that that House had passed

✓ No. 213, House bill entitled an act to amend and re-enact section 457 of the Code relative to what real estate exempt from taxation,

✓ Which bill was taken up and referred to the committee on finance and banks.

Mr. STUBBS, from committee on public institutions and education, reported with amendments,

✓ No. 3. House bill to repeal an act entitled an act to provide for the establishment of a high school for Bedford county, approved March 3rd, 1894.

✓ The bill was subsequently taken up, and on motion of Mr. LOWRY (two-thirds concurring), read the third time, committee amendments agreed to, and passed with its title.

He, from the same committee, reported without amendment,

✓ No. 290, Senate bill to authorize Clifton School District, in the county of Alleghany, to borrow money not exceeding six thousand five hundred dollars, for the erection of a school building at Clifton Forge in said county.

He, from the same committee, reported without amendment,

✓ No. 114, House bill to abolish school district No. 8, in the town of Manassas, Prince William county.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported with amendment,

✓ No. 137, House bill to authorize the governor of the Common-

wealth of Virginia to have removed from the penitentiary, and the judges of the county and corporation courts to have removed from the jails of such counties and corporations, prisoners who have contracted any contagious or infectious disease dangerous to the public health.

The bill was subsequently taken up, committee's amendments agreed to, read a third time, and passed; and the title was then amended as follows: "An act to provide a quarantine for convicts in the penitentiary and prisoners in the jails of the Commonwealth in case of any contagious or infectious disease breaking out among convicts and prisoners dangerous to the public health."

He, from the same committee, reported without amendment,

No. 86, House bill to amend and re-enact section 1497 of the Code of 1887, providing for civil government to be taught in the public free schools.

The bill was subsequently taken up, and, on motion of Mr. ECHOLS, passed by.

And he, from the same committee, reported with amendments,

No. 334, Senate bill to provide for the establishment of a High School at Bedford City, and to take the sense of the qualified voters of the municipal and Liberty districts of Bedford county therein.

The bill was subsequently taken up, read the second time, committee amendments agreed to, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. LOWRY (two-thirds concurring), was read the third time and passed with its title.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported without amendment,

No. 21, House bill to amend and re-enact section 13 of the charter of the town of Luray, Va., as amended by an act approved March 5th, 1894, authorizing the town council to levy a tax for streets and road purposes.

The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment,

No. 41, House bill to allow the town of Clifton Forge further time to collect town levies for the years 1892, 1893, and 1894.

The bill was subsequently taken up, and on motion of Mr. KEEZELL passed by.

He, from the same committee, reported with the recommendation that this bill do not pass,

No. 140, Senate bill to amend and re-enact section 18 of an act entitled an act to provide a charter for the city of Buena Vista, approved February 15, 1892.

And he, from the same committee, reported with amendments,

No. 315, Senate bill to work the public roads of Middlesex county, Va.

A message was received from the House of Delegates by Mr. T. T. POWELL, who informed the Senate that that House had passed

- ✓ No. 172, House bill entitled an act to establish a corporation court for the city of Newport News; on motion of Mr. BOYKIN (the rules being suspended therefor), was placed on the calendar.

- ✓ The bill was subsequently taken up, and on motion of Mr. BOYKIN (two-thirds concurring), was read the third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

Mr. G. W. JACKSON, by leave, presented

- ✓ No. 382, Senate bill to amend and re-enact section 2197 of the Code of Virginia, 1887, relating to the burial of hogs; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on agriculture, mining and manufacturing.

Mr. KANE, by leave, presented

- ✓ No. 383, Senate bill to amend and re-enact section 9 of an act entitled an act to incorporate the Gladeville Railroad Company, in Wise county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. KANE, by leave, presented

- ✓ No. 384, Senate bill to authorize the Big Stone Gap Iron Company to build railroads to its mines; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. KANE, by leave, presented

- ✓ No. 385, Senate bill providing for the relief of A. J. Swindall, Ed. Hall and John Hall, administrators of John Branham, deceased, all of Wise county, Va.; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. KANE, by leave, presented

- ✓ No. 386, Senate bill divorcing M. S. McConnell and C. D. McConnell from the bonds of matrimony; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. KANE, by leave, presented

- ✓ No. 387, Senate bill for the relief J. E. Flanery, of Scott county, Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. KANE, by leave, presented

- ✓ No. 388, Senate bill for the relief of David Shelton, of Scott county, Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. KANE, by leave, presented

- ✓ No. 389, Senate bill for the relief of Sterling Willis, of Scott

county, Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. KANE, by leave, presented

- ✓ No. 390, Senate bill for the relief of W. J. Sproles; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. KANE, by leave, presented

- ✓ No. 391, Senate bill for the relief of Lilburn Froley and Henry Culbertson, of Scott county, Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. TURNBULL, by leave, presented

- ✓ No. 392, Senate bill to amend and re-enact an act approved February 27, 1894, in relation to the power of the courts to order a suit in equity or action at law to abate as to any improperly joined plaintiff or defendant and to proceed thereafter by or against the others as if such misjoinder could not have been made; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

- ✓ No. 234, Senate bill to allow W. C. Chaney, deputy for John R. Whitehead, late treasurer of Pittsylvania county, additional time to levy for and collect tax tickets for years 1888, 1889, 1890, 1891, 1892 and 1893, held by said Chaney and not returned delinquent, was taken up, read the third time, and passed with its title.

- ✓ No. 283, Senate bill to permit certain county officers of the county of Warwick, who have been named and designated in a bill to incorporate the city of Newport News, in the county of Warwick, for the like officers for the city of Newport News, to serve as such until the first day of July, 1896, and until their successors are duly elected and qualified, which was read the second time, and on motion of Mr. BOYKIN (the rules being suspended therefor), was ordered to be engrossed and read a third time, and being forthwith engrossed, on his further motion (two-thirds concurring), was read the third time and passed with its title, and on his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ No. 272, Senate bill to allow B. M. Clements, deputy for J. R. Whitehead, late treasurer of Pittsylvania county, further time to distrain, levy for and collect certain tax tickets for which he has accounted to the State, was taken up, read the third time, and passed with its title.

- ✓ No. 259, Senate bill to incorporate the Chesterfield Railroad Company, was taken up, read the third time, and passed with its title.

- ✓ No. 317, Senate bill to repeal the charter of the Roanoke Underwriters' Agency of Roanoke, Va., which was granted by the judge of the corporation court of the city of Roanoke on the 25th day of April, 1893, under section 1145 of the Code of Virginia, and amen-

datory acts, was taken up, read the third time, and passed with its title.

✓ No. 180, Senate bill to incorporate the Wythe County Railroad Company, was taken up, read the third time, and passed with its title.

✓ No. 331, Senate bill to authorize the board of supervisors of Norfolk county to issue bonds, was taken up, read the third time, and passed, and, on motion of Mr. MAYNARD, the title was amended, and the bill was passed with its title as amended.

✓ No. 335, Senate bill to amend section 1 of the town of Tazewell, in Tazewell county, was taken up, read the third time, and passed, and, on motion of Mr. ST. CLAIR, the title was amended, and the bill was passed with its title as amended.

✓ No. 347, Senate bill to authorize J. E. Blakemore, J. C. Towles, and V. E. Towles, or any one of them, to erect a pier-head in the Rappahannock river near Towles' Point, was taken up, and, on motion of Mr. MASON, passed by.

✓ No. 33, Senate bill to incorporate the Fredericksburg Telephone Company, was taken up, read the third time, and passed with its title.

✓ No. 224, Senate bill to repeal the charter of the Old Dominion Fire Association of Alexandria, Va., which was granted by the judge of the circuit court of the city of Alexandria on the 6th day of November, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof, was taken up, and, on motion of Mr. MUSHBACH, recommitted to the committee on general laws.

✓ No. 310, Senate bill allowing Union Theological Seminary to have use of convicts in the penitentiary to assist in the improvement of its grounds and the erection of its new buildings near the city of Richmond, Virginia, was taken up, and, on motion of Mr. STUBBS, the bill was indefinitely postponed.

The following Senate bills were taken up, read the second time, and ordered to be engrossed and read a third time:

✓ No. 198, Senate bill to amend and re-enact section 2954 of the Code of Virginia, in regard to proceedings before a justice for release to claimant of property taken under distress warrant or levied on under execution on judgment of a justice, and when and how appeal allowed.

✓ No. 308, Senate bill to repeal the charter of the Shenandoah Valley Fire Insurance Company of Winchester, Va., which was granted by the judge of the corporation court of the city of Winchester, on the 8th day of September, 1893, under section 1145 of the Code of Virginia and amendatory acts.

✓ No. 326, Senate bill to amend and re-enact section 4018 of the Code of Virginia in relation to venire facias in case of felony, what to command, number of persons to be summoned, and how selected.

✓ No. 339, Senate bill to repeal the charter of the Pequannock Fire

Association of Staunton, Va., which was granted by the judge of the corporation court of the city of Staunton, on the 1st day of December, 1892, under section 1145 of the Code of Virginia, and amendatory acts.

✓ No. 341, Senate bill to repeal the charter of the Virginia Farmers Insurance Company of Norfolk, Va., which was granted by the judge of the corporation court of the city of Norfolk, on the 9th day of August, 1893, under section 1145 of the Code of Virginia and amendatory acts.

✓ No. 342, Senate bill to repeal the charter of the Norfolk Fire and Marine Insurance Company of Norfolk, Va., which was granted by the judge of the corporation court of the city of Norfolk, on the 25th day of May, 1893, under section 1145 of the Code of Virginia and amendatory acts.

✓ No. 343, Senate bill to incorporate the Piedmont Mining and Manufacturing Company.

✓ No. 243, Senate bill to require the clerks of the circuit courts for the several counties in this State to keep their offices open for the transaction of business, was taken up, committee's amendments agreed to, and ordered to be engrossed and read a third time.

✓ No. 306, Senate bill to repeal the charter of the Commonwealth Fire Insurance Company of Winchester, Va., which was granted by the judge of the corporation court of the city of Winchester, on the 17th day of July, 1893, under section 1145 of the Code of Virginia and amendatory acts, was taken up, committee's amendments agreed to, and ordered to be engrossed and read a third time.

On motion of Mr. ST. CLAIR, the Senate adjourned until tomorrow, twelve o'clock.

WEDNESDAY, JANUARY 22, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. H. C. Garrison.

A communication from the House of Delegates by their clerk was read as follows:

In House of Delegates, January 18, 1896.

✓ The House of Delegates has passed Senate bills entitled an act to amend and re-enact the third section of an act approved February 3rd, 1888, entitled act to incorporate the Berkley Street Railway Company, No. 193; an act entitled an act to confirm and validate the charter of the People's Perpetual Loan and Building Association of Roanoke, Va., granted by the corporation court for the city of Roanoke, Va., No. 200; an act to incorporate the Salem and Blacksburg Electric Railway Company, No. 202; an act to repeal

chapter 209, Acts of Assembly 1893-'94, for the protection of fish in Roanoke county, No. 204; an act to empower George Booker to erect a pavilion in Hampton Roads, in the county of Elizabeth City, and connect the same by a bridge or walkway with the Sherwood Hotel, in said county, No. 265; an act to amend and re-enact an act entitled an act for the protection of fish in Bland, Tazewell, and Smyth counties, No. 319; and an act to permit certain county officers of the county of Warwick, who have been named and designated in a bill to incorporate the city of Newport News, in the county of Warwick, for the like officers for the city of Newport News, to serve as such until the 1st day of July, 1896, and until their successors are duly elected and qualified, No. 283.

They have passed Senate bills entitled an act to incorporate the Portsmouth, Gilmerton and Smithfield Railway Traction Company, No. 168, with amendments; and an act to incorporate the Danville and Riverside Railway Company, No. 128, with an amendment.

They have agreed to the amendments of the Senate to House bills entitled an act to amend chapter 209, Acts 1893-'94, for the protection of fish in Roanoke county, No. 7; and an act to incorporate the Italian Beneficial and Social Society of the city of Richmond, No. 104.

They have dismissed Senate bill entitled an act to amend and re-enact section 1276 of the Code of Virginia, when treasurers may return securities to company, No. 35.

They have passed House bills entitled an act to establish public places of interment for the remains of citizens and residents of Tazewell county, Va., No. 24; an act to amend and re-enact section 4041 of the Code of Virginia, in relation to what verdict to specify when jury find accused guilty of murder; if guilt confessed, duty of court, No. 143; an act to amend and re-enact section 1258, Code of Virginia of 1887, in relation to railroad companies enclosing their road-beds with fences and erecting cattle guards, No. 212; and an act to amend and re-enact section 15 of an act entitled an act to amend the following acts: An act to incorporate the town of Rocky Mount, approved February 17, 1873; an act to amend the act of February 17, 1873, approved April 28, 1874, and an act amending and re-enacting section 2 of the act approved April 28, 1874, approved March 4, 1884, approved February 18, 1888, No. 216.

In which amendments and bills they request the concurrence of the Senate.

No. 168, Senate bill to incorporate the Portsmouth, Gilmerton and Smithfield Railway Traction Company, was taken up, and on motion of Mr. MAYNARD, the amendments proposed by the House of Delegates agreed to, and the bill, as amended, passed with its title.

No. 128, Senate bill to incorporate the Danville and Riverside Railway Company, was taken up, and on motion of Mr. WITHERS, the amendments proposed by the House of Delegates were disagreed

to; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 24, House bill entitled an act to establish public places of interment for the remains of citizens and residents of Tazewell county, Va., was taken up, read the second time, and referred to the committee on county, city, and town organizations.

✓ No. 143, House bill entitled an act to amend and re-enact section 4041 of the Code of Virginia in relation to what verdict to specify when jury find accused guilty of murder; if guilt confessed, duty of court, was taken up, read the second time, and referred to the committee for courts of justice.

✓ No. 212, House bill entitled an act to amend and re-enact section 1258 of the Code of Virginia of 1887, in relation to railroad companies enclosing their road-beds with fences and erecting cattle-guards, was taken up, read the second time, and referred to the committee for courts of justice.

✓ No. 216, House bill entitled an act to amend and re-enact section 15 of an act entitled an act to amend the following acts: An act to incorporate the town of Rocky Mount, approved February 17, 1873; an act to amend the act of February 17, 1873, approved April 28, 1874, and an act amendatory and re-enacting section 2 of the act approved April 28, 1874, approved March 4, 1884, approved February, 18, 1888, was taken up, read the second time, and ordered to be read a third time; and on motion of Mr. TREDWAY (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, and on his further motion, read the third time, and passed with its title.

✓ The chair laid before the Senate a communication from the auditor of public accounts.

On motion of Mr. JONES,

✓ Ordered, To lay on the table and print.

Mr. SANDS, from the committee on general laws, reported with an amendment,

✓ No. 227, Senate bill to repeal the charter of the Monarch Fire Insurance Company of Alexandria county, Va., which was granted by the judge of the circuit court of Alexandria county on the 12th day of February, 1895, under section 1145 of the Code of Virginia, and amendatory acts.

He, from the same committee, reported without amendment,

✓ No. 158, House bill to authorize the trustees of the Gravel Springs Evangelical Lutheran Church, in Frederick county, to receive a donation of one thousand dollars, and invest the same

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment,

✓ No. 151, House bill to authorize the Crockett Springs Company to appoint police agents.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported, with the recommendation that it be referred to the committee on finance,

- ✓ No. 364, Senate bill authorizing the circuit court of Wise county to appoint a special commissioner to transcribe certain records.

And he, from the same committee, reported without amendment,

- ✓ No. 361, Senate bill to repeal the charter of the Westmoreland Insurance Company of Colonial Beach, Va., which was granted by the judge of the circuit court of Westmoreland county on the 16th day of July, 1892, under section 1145 of the Code of Virginia, and amendatory acts.

Mr. ECHOLS, from the committee on roads and internal navigation, reported with amendments,

- ✓ No. 22, Senate bill to authorize the construction by the Piedmont Soapstone Company of tramways or railroad not exceeding twenty-five miles in length, and the encumbering and disposal of the same.

He, from the same committee, reported with an amendment,

- ✓ No. 208, Senate bill to amend and re-enact section 6 of an act to incorporate the Blue Ridge Railroad Company, approved February 15, 1892, amended and re-enacted by an act approved January 23, 1894.

He, from the same committee, reported with an amendment,

- ✓ No. 59, House bill to amend and re-enact sections 1, 3, 9, and 10 of an act of the General Assembly of Virginia; entitled an act to incorporate the Buckroe, Phoebus and Hampton Railroad Company.

- ✓ The bill was subsequently taken up, read the third time, committee's amendments agreed to, and passed with its title.

He, from the same committee, reported with an amendment,

- ✓ No. 61, House bill extending the time of commencing the construction of the Potomac Western Railroad Company.

- ✓ The bill was subsequently taken up, read the third time, committee's amendments agreed to, and passed with its title.

He, from the same committee, reported with an amendment,

- ✓ No. 149, House bill to incorporate the American Trunk Line Railroad Company.

- ✓ The bill was subsequently taken up, read the third time, committee's amendments agreed to, and passed with its title.

And he, from the same committee, reported without amendment,

- ✓ No. 176, House bill to incorporate the Chesterfield Railroad Company.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported with an amendment,

- ✓ No. 346, Senate bill to consolidate the Hampton and Old Point Railway Company, and the Newport News Street Railway Company, and thereby to create a corporation to be known as the Newport News, Hampton and Old Point Railway Company.

He, from the same committee, reported without amendment,
 ✓ No. 71, Senate bill to amend and re-enact section 7 of an act entitled an act to incorporate the Potts Valley Railroad and Iron Company, as amended and re-enacted by chapter 140 of the session Acts of 1893-'4, approved February 6, 1894.

He, from the same committee, reported with amendments,
 ✓ No. 374, Senate bill to amend and re-enact sections 1 and 13 of an act entitled an act to incorporate the Fredericksburg and Lancaster Railroad Company, approved January 22, 1894.

Mr. WICKHAM, from the committee on finance and banks, reported with amendments

✓ No. 153, Senate bill for the relief of Thomas C. Miller, treasurer of the town of Wytheville.

He, from the same committee, reported with amendments,
 ✓ No. 278, Senate bill to authorize J. L. Saunders, treasurer of Henry county, further time in which to collect taxes and county levies for the years 1890, 1891, 1892, 1893 and 1894.

He, from the same committee, reported a committee's bill,
 ✓ No. 405, Senate bill to amend and re-enact section 18 of chapter 2 of an act entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining license to sell wine, ardent spirits, malt liquors, or any mixtures thereof, in cases where a court certificate is required, approved March 6, 1890; which, on his motion, was ordered to be printed.

He, from the same committee, reported with amendments,
 ✓ No. 340, Senate bill to allow Louis Jones, late treasurer of Middlesex county, further time to distrain and levy for taxes, levies and licenses for the years 1888, 1889, 1890, 1891, 1892.

And he, from the same committee, reported without amendment,
 ✓ No. 349, Senate bill for the relief of Charles M. Jordan.

Mr. CLEMENTS, by leave, presented

✓ No. 393, Senate bill for the relief of Mrs. E. S. Howard, widow of a Confederate soldier; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. CLEMENTS, by leave, presented

✓ No. 394, To amend and re-enact section 34 of the Code of Virginia, 1887, as amended and re enacted March 5th, 1888, and as amended and re-enacted February 25, 1892, and as amended and re-enacted March 5, 1894, to fix the salaries of commonwealth's attorneys, sheriffs, and clerks of courts; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. CLEMENTS, by leave, presented

✓ No. 395, Senate bill to amend section 848 of the Code of Vir-

ginia, 1887, as amended and re-enacted March 5th, 1888, and as amended and re-enacted January 23, 1894, in regard to the pay of supervisors; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. MAYNARD, by leave, presented

- ✓ No. 396, Senate bill to amend and re-enact section 1073 of the Code of Virginia in reference to the quantity of land to be taken by works of internal improvement; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

✓ Mr. BROWN, by leave, presented

No. 397, Senate bill in relation to the third, fourth, fifth and sixth judicial circuits, and the salaries of the judges thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BROWN, by leave, presented

- ✓ No. 398, Senate bill to amend and re-enact section 3286 of the Code of Virginia, 1887; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BROWN, by leave, presented

- ✓ No. 399, Senate bill to amend and re-enact an act entitled an act to amend and re enact section 3225 of the Code of Virginia, 1887; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. HALE, by leave, presented

- ✓ No. 400, Senate bill to require the county treasurers of the several counties in the State to have an office at their respective county seats, and to keep the same open for the transaction of business; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. BUCHANAN, by leave, presented

- ✓ No. 401, Senate bill to authorize the board of public works to accept certain bonds in payment of the indebtedness of Emory and Henry college to the Commonwealth of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. SANDS, by leave, presented

- ✓ No. 402, Senate bill to incorporate the American Telegraph Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. SOUTHALL, by leave, presented

- ✓ No. 403, Senate bill for the relief of the State Board of Medical Examiners of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MASON, by leave, presented

- ✓ No. 404, Senate bill to incorporate the Colonial Beach Agricultural and Industrial Association; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), was placed on the calendar.
- ✓ No. 342, Senate bill to repeal the charter of the Norfolk Fire and Marine Insurance Company of Norfolk, Va., which was granted by the corporation court of the city of Norfolk, on the 25th day of May, 1893, under section 1145 of the Code of Virginia and amendatory acts, was taken up, read the third time, and passed with its title.
- ✓ No. 326, Senate bill to amend and re-enact section 4018 of the Code of Virginia, in relation to venire facias in case of felony; what to command; number of persons to be summoned, and how selected, was taken up, read the third time, and passed with its title.
- ✓ No. 308, Senate bill to repeal the charter of the Shenandoah Valley Fire Insurance Company, of Winchester, Va., which was granted by the judge of the corporation court of the city of Winchester, on the 8th day of September, 1893, under section 1145 of the Code of Virginia, and amendatory acts, was taken up, read the third time, and passed with its title.
- ✓ No. 306, Senate bill to repeal the charter of the Commonwealth Fire Insurance Company, of Winchester, Va., which was granted by the judge of the corporation court of the city of Winchester, on the 17th day of July, 1893, under section 1145 of the Code of Virginia, and amendatory acts, was taken up, read the third time, and passed with its title.
- ✓ No. 343, Senate bill to incorporate the Piedmont Mining and Manufacturing Company, was taken up, read the third time, and passed with its title.
- ✓ No. 243, Senate bill to require the clerks of the circuit courts for the several counties in this State to keep their offices open for the transaction of business, was taken up, read the third time, and passed with its title.
- ✓ No. 339, Senate bill to repeal the charter of the Pequannock Fire Association of Staunton, Virginia, which was granted by the judge of the corporation court of the city of Staunton on the first day of December, 1892, under section 1145 of the Code of Virginia, and amendatory acts, was taken up, read the third time, and passed with its title.
- ✓ No. 341, Senate bill to repeal the charter of the Virginia Farmers' Insurance Company of Norfolk, Virginia, which was granted by the judge of the corporation court of the city of Norfolk on the 9th day of August, 1893, under section 1145 of the Code of Virginia, and amendatory acts, was taken up, read the third time, and passed with its title.
- ✓ No. 198, Senate bill to amend and re-enact section 2954 of the Code of Virginia, in regard to proceedings before a justice for release to claimant of property taken under distress warrant, or levied

on under execution on judgment of a justice, and when and how appeal allowed, was taken up, read the third time, and passed with its title.

The chair appointed Messrs. STUBBS and BUCHANAN as the committee on the part of the Senate under the joint resolution adopted yesterday, to investigate the charges preferred against the institution for the education of the deaf, dumb, and blind, at Staunton, Virginia.

✓ No. 86, House bill to amend and re-enact section 1497 of the Code of 1887, providing for civil government to be taught in the public free schools.

✓ The bill was taken up, and Mr. ECHOLS made an ineffectual motion to pass by; on motion of Mr. STUBBS, the bill was made a special order for Monday, the 27th inst., at one o'clock.

✓ No. 59, House bill to amend and re-enact sections 1, 3, 9, and 10 of an act of the General Assembly of Virginia, entitled an act to incorporate the Buckroe, Phoebus and Hampton Railroad Company, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

✓ No. 140, Senate bill to amend and re-enact section 18 of an act entitled an act to provide a charter for the city of Buena Vista, approved February 15, 1892, was taken up, and the recommendation of the committee that the bill do not pass was agreed to, and the bill was rejected.

✓ No. 290, Senate bill to authorize Clifton school district, in the county of Alleghany, to borrow money, not exceeding six thousand five hundred dollars, for the erection of a school building at Clifton Forge, in said county, was taken up, and, on motion of Mr. JONES, the bill was indefinitely postponed.

✓ Mr. STUBBS, by leave, presented the following joint resolution:

✓ Whereas, it has been brought to the attention of the General Assembly of Virginia that, for years past, the commissioners of the revenue of the counties and cities of Virginia have failed to assess certain personal property, under schedule "B," in the seventeenth clause in the list prescribed for assessing personal property; now, therefore,

Be it resolved by the Senate (the House of Delegates concurring), that the auditor of public accounts be and he is hereby directed to call the attention of the commissioners of the revenue, in the assessment of personal property for the year 1896, to section 508 of the Code of Virginia, and to require them to make the assessments of said personal property in seventeenth clause of schedule "B";

✓ Which, on his motion (the rules being suspended therefor), was agreed to, and, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ Mr. FLANAGAN, by leave, presented,

A petition from the citizens of Powhatan county, asking the re-

peal of certain laws; which, on his motion, was referred to the committee on general laws.

- ✓ No. 315, Senate bill to work the public roads of Middlesex county, Virginia, was taken up, read the second time, the committee's amendments agreed to, and ordered to be engrossed and read a third time.

On motion of Mr. FLANAGAN, the Senate adjourned until twelve o'clock to-morrow.

THURSDAY, JANUARY 23, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. H. C. Garrison.

Journal of yesterday read by the clerk.

A communication was received from the House of Delegates, by their clerk, which was read as follows:

In House of Delegates, January 22, 1896.

- ✓ The House of Delegates has agreed to the amendments of the Senate to House bill entitled an act to repeal an act entitled an act to provide for the establishment of a High School for Bedford county, approved March 3, 1894, No. 3; and an act to enable the supervisors of Hanover county, if they deem expedient, to construct a road from Chickahominy Swamp, between the Mechanicsville and the Richmond and Henrico turnpikes, to the city of Richmond, and to appropriate funds for that purpose out of the county levy of said county of Hanover, No. 102.

- ✓ They have passed Senate bills entitled an act for the protection of sheep in the county of Hanover by making the owner or other person in whose control or about whose house a dog usually stays liable to the owner of sheep killed, maimed, or worried by such dogs, for damages for such killing, maiming or worrying, No. 39; an act to amend and re-enact section 605 Code of Virginia, 1887, entitled
- ✓ treasurers to return lists of uncollected taxes and delinquents, No. 72; an act to amend and re enact an act entitled an act to amend and re-enact sections 7, 17 and 18 of an act approved February 20, 1892, entitled an act to provide for the settlement of the public debt of Virginia not funded under the provisions of an act entitled an
- ✓ act to ascertain and declare Virginia's equitable share of the debt created before and actually existing at the time of the partition of her territory and resources, and to provide for the issuance of bonds covering the same, and the regular and prompt payment of interest thereon, approved February 14, 1882, and to provide for carrying

✓ the same into effect, approved January 31, 1894, and providing the time from which bonds issued under this act, approved March 31, 1896, shall carry interest, No. 282; an act to repeal an act entitled an act to allow Mrs. W. C. Corson to draw from the treasury of the State any salary due the estate of W. C. Corson, deceased, and to authorize the auditor of public accounts to pay the same, approved December 19, 1895, No. 336; an act to authorize the board of education to pay Mrs. W. C. Corson any salary due the estate of William C. Corson, late superintendent of schools of Cumberland county, No. 337; an act to provide for the establishment of a High School at Bedford City, and to take the sense of the qualified voters of the municipal and Liberty districts of Bedford county thereon, No. 334.

✓ They have passed House bills entitled an act to amend and re-enact an act entitled an act to make husband and wife competent witnesses for or against each other in civil cases, approved March 5th, 1894, and title of said act, No. 180; an act incorporating the town of Barton Heights in Henrico county, No. 185; an act to amend and re-enact section 2486 of Code of 1887, as amended by an act entitled an act to amend and re-enact sections 2485 and 2486 of the Code of Virginia, in relation to the lien of employees, &c., of transportation, mining, and manufacturing companies, on franchises and property of said companies, and how the same may be perfected and enforced, approved February 15, 1892, No. 186; an act to authorize the board of supervisors of Middlesex county to borrow money to build a public free bridge over Urbanna Creek, No. 187; an act to authorize the board of supervisors of Middlesex county to build a public free bridge over Urbanna Creek, No. 188; an act to permit the Governor to furnish small arms to the Suffolk Military Academy, No. 189; an act to permit the Governor to furnish small arms to the Suffolk Collegiate and Military Institute, No. 190; an act for the protection of game in the county of Prince William, No. 191; an act to provide a charter incorporating the town of Eastville, in Northampton county, No. 192; an act to repeal an act to authorize the board of school trustees of Clintwood district, in Dickenson county, to sell and convey present public school-house and lot, and to purchase another, and to provide for assessing and collecting a tax on said district for said purpose, No. 193; an act for the relief of W. H. Perkins, treasurer of the county of Middlesex—to authorize the auditor of public accounts to credit said treasurer with lost school warrants, No. 196; an act to amend and re-enact an act entitled an act to facilitate the giving of bonds required by law, approved March 5, 1894, No. 203; an act to amend and re-enact the second section of an act entitled an act to incorporate the John L. Roper Lumber Company, approved February 26, 1884, No. 207; an act to protect rabbits (or hares) and deer in the county of Chesterfield, No. 208; an act to repeal an act entitled an act in reference to fences in Princess Anne county, approved

February 3, 1882, as amended and re-enacted by an act entitled an act to amend and re-enact chapter 56 of the Acts of Assembly of 1881-'82, entitled an act in reference to fences in Princess Anne county, approved March 3, 1890, No. 209; an act to amend and re-enact sections 1 and 2 of an act approved March 5, 1894, entitled an act to regulate the killing, capturing, hunting, buying, or selling, or offering for sale of partridges and wild turkeys in the county of Dinwiddie, and to prohibit the catching of same in traps or nets, and to prohibit the taking or destruction of eggs of same in said county, No. 210; an act for the protection of laboring men who are householders against being deprived of the exemption to which they are entitled under section 3562 of the Code of Virginia, No. 234; and an act to authorize and empower the several boards of visitors to the institutions of this State to investigate the management of their institution, or the conduct of any of its officers or employees, No. 241.

In which bills they request the concurrence of the Senate.

No. 180, House bill entitled an act to amend and re-enact an act entitled an act to make husband and wife competent witnesses for or against each other in civil cases, approved March 5, 1894, was taken up, twice read, and referred to the committee for courts of justice.

No. 185, House bill entitled an act incorporating the town of Barton Heights, in Henrico county, was taken up, twice read, and on motion of Mr. SANDS (the rules being suspended therefor), placed on the calendar.

The bill was subsequently taken up, and on motion of Mr. SANDS, amended; and on his further motion (two-thirds concurring), read the third time, and passed with its title.

No. 186, House bill entitled an act to amend and re-enact section 2486 of Code of 1887, as amended by an act to amend and re-enact sections 2485 and 2486 of the Code of Virginia in relation to the lien of employees, &c., of transportation, mining, and manufacturing companies, on franchises and property of said companies, and how the same may be perfected and enforced, approved February 15, 1892, was taken up, twice read, and referred to the committee for courts of justice.

No. 187, House bill entitled an act to authorize the board of supervisors of Middlesex county to borrow money to build a public free bridge over Urbanna creek, was taken up, twice read, and on motion of Mr. STUBBS (the rules being suspended therefor), placed on the calendar.

The bill was subsequently taken up, and on his further motion (two-thirds concurring), was read the third time, and passed with its title.

No. 188, House bill entitled an act to authorize the board of supervisors of Middlesex county to build a public free bridge over Ur-

banna creek, was taken up, twice read, and on motion of Mr. STUBBS (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, and on his further motion (two-thirds concurring), was read the third time, and passed with its title.

✓ No. 189, House bill entitled an act to permit the governor to furnish small arms to Suffolk Military Academy, was taken up, twice read, and referred to the committee on general laws.

✓ No. 190, House bill entitled an act to permit the governor to furnish small arms to the Suffolk Collegiate and Military Institute, was taken up, twice read, and referred to the committee on general laws.

✓ No. 191, House bill entitled an act for the protection of game in the county of Prince William, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 192, House bill entitled an act to provide a charter incorporating the town of Eastville, in Northampton county, was taken up, twice read, and referred to the committee on county, city, and town organizations.

✓ No. 193, House bill entitled an act to repeal an act to authorize the board of school trustees of the Clintwood district, in Dickenson county, to sell and convey present public school-house and lot and to purchase another, and to provide for assessing and collecting a tax on said district for said purpose, was taken up, twice read, and on motion of Mr. KANE (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, and on his further motion (two-thirds concurring), was read the third time, and passed with its title.

✓ No. 196, House bill entitled an act for the relief of W. H. Perkins, treasurer of the county of Middlesex, to authorize the auditor of public accounts to credit said treasurer with lost school warrants, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 203, House bill entitled an act to amend and re-enact an act entitled an act to facilitate the giving of bonds required by law, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 207, House bill entitled an act to amend and re-enact the second section of an act entitled an act to incorporate the John L. Roper Lumber Company, approved February 26, 1894, was taken up, twice read, and referred to the committee on general laws.

✓ No. 208, House bill entitled an act to protect rabbits (or hares) and deer in the county of Chesterfield, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 209, House bill entitled an act to repeal an act entitled an act in reference to fences in Princess Anne county, approved February 3, 1882, as amended and re-enacted by an act entitled an act to

amend and re-enact chapter 56 of the Acts of Assembly of 1881-82, entitled an act in reference to fences in Princess Anne county, approved March 3, 1890, was taken up, twice read, and on motion of Mr. SNEAD (two-thirds concurring), indefinitely postponed.

- ✓ No. 210, House bill entitled an act to amend and re-enact sections 1 and 2 of an act approved March 5, 1894, entitled an act to regulate the killing, capturing, hunting, buying or selling or offering for sale of partridges and wild turkeys in the county of Dinwiddie, and to prohibit the catching of same in traps or nets, and to prohibit the taking or destruction of eggs of same in said county, was taken up, twice read, and referred to the committee on fish and game.

- ✓ No. 234, House bill entitled an act for the protection of laboring men, who are householders, against being deprived of the exemption to which they are entitled under section 3562 of the Code of Virginia, was taken up, twice read, and referred to the committee for courts of justice.

- ✓ No. 241, House bill entitled an act to authorize and empower the several boards of visitors to the institutions of this State to investigate the management of their institution, or the conduct of any of its officers or employees, was taken up, twice read, and referred to the committee on public institutions and education.

Mr. STUBBS, by leave, presented

- ✓ A petition of the board of trustees of the Gloucester schools; which, on his motion, was referred to the committee on public institutions and education.

Mr. MUSHBACH, by leave, presented

- ✓ No. 406, Senate bill to amend and re-enact section 1002, chapter 43, of the Code of Virginia, providing how abandoned turnpikes shall be kept in order; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. BOYKIN, by leave, presented

- ✓ No. 407, Senate bill to amend and re-enact section 3137 and independent sections 5 and 8 of an act of the General Assembly in relation to oysters, approved March 5, 1894, and to amend and re-enact independent section 11 of an act approved February 25, 1892, in relation to oysters; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. BOYKIN, by leave, presented

- ✓ No. 408, Senate bill to have natural oyster rocks, beds and shoals surveyed which were omitted to be surveyed in the geodetic survey under the act of February 29th, 1892, and acts amendatory thereto, and to declare illegal and void assignments of natural oyster rocks not made in accordance with the requirements of the law; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. MASON, by leave, presented

- ✓ No. 409, Senate bill for the relief, under conditions, of Wm. Mayo, late treasurer of Westmoreland county, and his sureties, to the extent of payment of interest in excess of six per cent.; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. PARR, by leave, presented

- ✓ No. 410, Senate bill to authorize the auditor of public accounts to pay all pension claims in his office properly certified and approved by the court; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. LOWRY, by leave, presented

- ✓ No. 411, Senate bill to amend and re-enact section 860, Code of Virginia, as to how warrants are paid, and to receive county school warrants and jury and witnesses' tickets for the payment of taxes; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. SNEAD, by leave, presented

- ✓ No. 412, Senate bill to ratify, confirm and enlarge the charter of the Norfolk Wharf, Warehouse and Terminal Company; to confer upon it the rights and obligations of a railway and transportation company as prescribed, and to change the name thereof to the Norfolk Terminal and Transportation Company; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

- ✓ The bill was subsequently taken up, and, on motion of Mr. WICKHAM, read the second time and ordered to be engrossed; and being forthwith engrossed; on motion of Mr. MORRIS (two-thirds concurring), read the third time and passed with its title.

Mr. TREDWAY, by leave, presented

- ✓ No. 413, Senate bill to amend and re-enact section 4065 of the Code of Virginia in reference to delivery at penitentiary of persons sentenced to confinement therein; which, on his motion, was read the first, ordered to be read a second time, and referred to the special committee on criminal expenses.

Mr. SANDS, by leave, presented

- ✓ No. 414, Senate bill to redeem certain lands of the real estate of J. A. Jefferds, deceased, of the county of Henrico, returned delinquent for taxes for the years 1884, 1886, 1887, 1889, 1890 and 1892; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.
- ✓ No. 347, Senate bill to authorize J. E. Blakemore, J. C. Towles and V. E. Towles, or any one of them, to erect a pier-head in the Rappahannock river, near Towles' Point, was taken up, read the third time, and passed with its title.

- ✓ No. 315, Senate bill to work the public roads of Middlesex county, Va., was taken up, read the third time, and passed with its title.
- ✓ No. 41, House bill to allow the town of Clifton Forge further time to collect town levies for the years 1892, 1893, and 1894, was taken up, read the third time, and on motion of Mr. JONES, indefinitely postponed.
- ✓ On motion of Mr. SNEAD, leave of absence for three days was granted Mr. CLAYTOR.
- ✓ No. 144, Senate bill to amend and re-enact section 18 of chapter 1 of an act entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixtures thereof, in cases where a court certificate is required, approved March 6, 1890, in reference to taxing insurance companies, was taken up and read the second time.

Mr. ECHOLS proposed the following amendment:

In line 20, page 2, after the word "dollars," insert the following: "And provided further, that companies doing business as assessment or flexible premium companies shall pay a specific license tax of three hundred dollars, which shall be in full and in lieu of all city, town, and county license, taxes and fees," which was rejected by the following vote:

AYES—Messrs. Buchanan, Echols, E. H. Jackson, G. W. Jackson, Jordan, Kane, Keezell, Little, Lowry, Mason, Snead, Stubbs, and Tredway—13.

NOES—Messrs. Barnes, Boykin, Brown, Clement, Fairfax, Hale, Jones, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Southall, St. Clair, Turnbull, Wickham and Williams—18.

- ✓ The bill was then ordered to be engrossed and read a third time.
- ✓ No. 105, Senate bill to prescribe the amount of recovery from any insurance company or association in case of damage or loss by fire, water, lightning, tornado, cyclone, or otherwise, which was a special order for to-day at 1 o'clock, was, on motion of Mr. WILLIAMS, passed by and made the special order for Tuesday next at one o'clock.
- ✓ The following Senate bills were taken up, read the second time, committee's amendments in each case agreed to, and ordered to be engrossed and read a third time.
- ✓ No. 22, Senate bill to authorize the construction by the Piedmont Soapstone Company of tramways or railroad not exceeding twenty-five miles in length, and the encumbering and disposal of the same.
- ✓ No. 153, Senate bill for the relief of Thomas C. Miller, treasurer of the town of Wytheville.
- ✓ No. 208, Senate bill to amend and re-enact section 6 of an act to incorporate the Blue Ridge Railroad Company, approved February

15, 1892, amended and re-enacted by an act approved January 23, 1894.

✓ No. 227, Senate bill to repeal the charter of the Monarch Fire Insurance Company of Alexandria county, Va., which was granted by the judge of the circuit court of Alexandria county on the 12th day of February, 1895, under section 1145 of the Code of Virginia, and amendatory acts.

✓ No. 278, Senate bill to authorize J. L. Saunders, treasurer of Henry county, further time in which to collect taxes and county levies for the years 1891, 1892, 1893, 1894, and 1895.

✓ No. 340, Senate bill to allow Louis Jones, late treasurer of Middlesex county, further time to distrain and levy for taxes, levies and licenses for the years 1888, 1889, 1890, 1891, 1892.

✓ No. 346, Senate bill to consolidate the Hampton and Old Point Railway Company, and the Newport News Street Railway Company, and thereby to create a corporation to be known as the Newport News, Hampton and Old Point Railway Company.

✓ No. 374, Senate bill to amend and re-enact sections 1 and 13 of an act entitled an act to incorporate the Fredericksburg and Lancaster Railroad Company, approved January 22, 1894.

✓ No. 71, Senate bill to amend and re enact section 7 of an act entitled an act to incorporate the Potts Valley Railroad and Iron Company, as amended and re-enacted by chapter 140 of the session Acts of 1893-'4, approved February 6, 1894, was taken up, read the second time, and ordered to be engrossed and read a third time.

✓ No. 349, Senate bill for the relief of Charles M. Jordan, of Halifax county, was taken up, read the second time, and ordered to be engrossed and read a third time.

✓ No. 361, Senate bill to repeal the charter of the Westmoreland Insurance Company, of Colonial Beach, Va., which was granted by the judge of the circuit court of Westmoreland county on the 16th day of July, 1892, under section 1145 of Code of Virginia and amendatory acts, was taken up, read the second time, and ordered to be engrossed and read a third time.

✓ The chair laid before the Senate the third report of the Prison Association of Virginia, which was tabled and ordered to be printed as Senate Document No. 9, and referred to the committee on public institutions and education.

✓ No. 364, Senate bill authorizing the circuit court of Wise county to appoint a special commissioner to transcribe certain records, was taken up, read the second time, and referred to the committee on finance and banks.

✓ Mr. KEEZELL, from special committee on printing, made the following report, which was agreed to:

Your committee to which was referred the following resolution,
 "Resolved by the Senate (the House of Delegates concurring), that the acts of the present session of the General Assembly of a general nature shall be printed separately, in a volume to be bound

in the same style in which the acts of previous sessions are bound, and the acts not of such general character shall be printed in a separate volume of less expensive binding,"

Beg leave to report that upon careful investigation they find that if the ideas embodied in said resolution are carried out and 5,500 copies of the acts of a general character, the usual number, were printed and bound as at previous sessions, and 1,500 copies of the acts, not of a general character, were printed with cheaper binding, a saving of about \$800 to the State might be made. This saving would have amounted to about \$100 more if no part of the acts had been printed, but already thirty two pages have been printed. This calculation is made upon the basis that the two characters of acts would occupy the same relative proportion to each other as in the Acts of 1893 and '94.

If the acts not of a general character were *not printed at all*, a further saving of \$800 to \$1,000 could be had. In the opinion of your committee this could be done without detriment to any interest, if the separation of said acts was made by a competent authority, such as the chairmen of the committees of courts of justice and judiciary of the two houses, or by sub-committees of said committees. This work, however, should commence with the beginning of the session and be carefully done. From copies of the contract made by the public printer for the printing of the acts herewith, returned, it would seem that there is no legal objection why the proposed change might not be made at this session, as the contractor agrees and contracts to execute such book and job printing *as may be ordered by the said party of the first part* "(the public printer), between this date (October 4, 1893) and October 1, 1896." There is no doubt, however, that the amount of work *expected* by the contractor would be materially reduced and his profits reduced in like proportion. Your committee is of the opinion, however, that as the session is this far advanced, and many acts have been passed and are now laws, which should be in the hands of the officers charged with the execution of the laws, and that any change now would retard the work of printing and distributing the acts; that it would be inexpedient to attempt the change at this session; but that such legislation should be had as will in the future provide for the printing of the acts of a general character in one volume, with the usual binding, and the acts not of a general character in cheaper form and lesser number, or omit entirely, as may seem best. A bill embracing these ideas will be presented.

✓ A message was received from the House of Delegates by Mr. HATHAWAY, who informed the Senate that that House had passed House bill No. 287; which, on motion of Mr. MASON (the rules being suspended therefor), was placed on the calendar.

On motion of Mr. JONES, the Senate adjourned until to-morrow, twelve o'clock.

FRIDAY, JANUARY 24, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. H. C. Garrison.

Journal of yesterday read by the clerk.

A communication from the House of Delegates, by their clerk, was read as follows:

In the House of Delegates, January 21, 1896.

The House of Delegates has passed Senate bills entitled an act to approve, ratify, and confirm the charter of the Grand Order of the Peace and Light Society of King George county, Va., which charter was granted in vacation by the judge of the circuit court of King George county on the 4th day of October, 1894, No. 329; and an act to amend sections 1 and 7 of a charter granted to the Gethsemane Lodge of the State of Virginia, No. 1, on the 28th day of November, 1894, by the judge of the circuit court of King George county, in vacation, and to confirm, approve, and ratify such charter as amended, No. 330; to authorize the United Security Life Insurance and Trust Company of Pennsylvania to do business in the State without the deposit of securities with the treasurer, No. 206; and an act to prevent the extermination of partridges (or quail) in the State of Virginia, No. 89.

They have agreed to the amendments of the Senate to House bill entitled an act to allow the voters of Northampton county to vote on a fence law, No. 153.

They have agreed to Senate concurrent resolution directing the auditor of public accounts to call the attention of the commissioners of the revenue to section 508, Code of Virginia, in reference to the assessment of certain personal property.

They have passed House bills entitled an act to amend the charter of the town of Boynton, in Mecklenburg county, Va., No. 142; an act requiring the auditor of public accounts to make a statement annually showing an accounting of the county and city treasurers with the State who are in arrears, and prescribing the manner in which the same shall be made public, No. 175; an act to amend and re-enact sections 7, 8, 9, 10, and 25 of an act entitled an act to regulate and control guaranty, trust, indemnity, fidelity, and other like companies having for their purpose, or one of their purposes, to become security for the faithful performance of any trust, duty, contract, agreement, or bond, public or private, official or otherwise, or to assume any duty or obligation of like nature as principal or otherwise, or to become fiduciary, approved March 5, 1894, No. 202; an act to amend and re-enact section 3903 of the Code of Virginia, entitled how term of confinement or amount of fine of person convicted of felony is ascertained, No. 204; an act to legalize primary elections and conventions in the city and county of Alexandria,

✓ No. 206; an act to amend an act entitled an act to authorize and empower the Alleghany Iron Company to construct and operate a railroad under certain limitations, approved January 16, 1892, No. 211; an act to amend and re-enact sections 12 and 15 of chapter 617 of Acts of Assembly 1893-'94, entitled an act to provide for opening new roads and building bridges, etc., in the county of Rock-bridge, No. 215; an act to incorporate the Odd Fellows Joint Stock Company of Alexandria, Va., and to authorize the conveyance to said company of certain real estate in the city of Alexandria, Va., purchased for its use and benefit, No. 217; an act to amend the first subdivision of section 8 of the tax bill approved March 6, 1890, so as to provide for the listing of bonds, notes, and other evidences of debt subject to taxation, No. 105; and an act to amend and re-enact section 3780 of the Code in relation to carrying concealed weapons, No. 232.

In which bills they request the concurrence of the Senate.

- ✓ No. 142, House bill entitled an act to amend the charter of the town of Boynton in Mecklenburg county, Va., was taken up, twice read, and referred to the committee on county, city, and town organizations.
- ✓ No. 175, House bill entitled an act requiring the auditor of public accounts to make a statement annually showing an accounting of the county and city treasurers with the State who are in arrears, and prescribing the manner in which the same shall be made public, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 202, House bill entitled an act to amend and re-enact sections 7, 8, 9, 10 and 25 of an act entitled an act to regulate and control guaranty, trust, indemnity, fidelity, and other like companies, having for their purpose, or one of their purposes, to become security for the faithful performance of any trust, duty, contract, agreement, or bond, public or private, official or otherwise, or to assume any duty or obligation of like nature, as principal or otherwise, or to become fiduciary, approved March 5th, 1894, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 204, House bill entitled an act to amend and re enact section 3903 of the Code of Virginia, entitled how term of confinement or amount of fine of person convicted of felony is ascertained, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 206, House bill entitled an act to legalize primary elections and conventions, in the city and county of Alexandria, was taken up, twice read, and referred to the committee on privileges and elections.
- ✓ No. 211, House bill entitled an act to amend an act entitled an act to authorize and empower the Alleghany Iron Company to construct and operate a railroad under certain limitations, ap-

proved February 16th, 1892, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 215, House bill entitled an act to amend and re-enact sections 12 and 15 of chapter 617 of Acts of Assembly 1893-'94, entitled an act to provide for opening new roads and building bridges, etc., in the county of Rockbridge, was taken up, twice read, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

✓ No. 217, House bill entitled an act to incorporate the Odd Fellows Joint Stock Company of Alexandria, Va., and to authorize the conveyance to said company of certain real estate in the city of Alexandria, Va., purchased for its use and benefit, was taken up, twice read, and referred to the committee on general laws.

✓ No. 105, House bill entitled an act to amend the first subdivision of section 8 of the tax bill, approved March 6th, 1890, so as to provide for the listing of bonds, notes and other evidences of debt subject to taxation, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 232, House bill entitled an act to amend and re-enact section 3780 of the Code, in relation to carrying concealed weapons, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 287, House bill entitled an act to amend and re-enact an act entitled an act regulating the fishing of purse nets and pound nets in the tributaries of the Potomac river within the jurisdiction of the counties of Stafford, King George, Westmoreland and Northumberland, and in the Rappahannock river, approved March 3, 1892, was taken up, twice read, and, on motion of Mr. MASON (the rules being suspended therefor), was placed on the calendar.

Mr. JONES, from the committee for courts of justice, reported without amendment,

✓ No. 78, House bill designating the days and half holidays to be observed as legal holidays and for the payment of acceptance, and protesting of bills, notes, drafts, checks, and other negotiable paper on such days.

✓ The bill was subsequently taken up, read the third time, and on motion of Mr. JONES, was amended and passed—ayes, 22; noes, 10.

AYES—Messrs. Barnes, Boykin, Buchanan, Echols, Flanagan, Green, Hale, E. H. Jackson, Jones, Jordan, Kane, LeCato, Mason, Maynard, McIlwaine, Mushbach, Sands, Snead, Southall, Turnbull, Wickham, and Withers—22.

NOES—Messrs. Brown, Clement, G. W. Jackson, Keezell, Lowry, Morris, Parr, St. Clair, Tredway, and Williams—10.

✓ And on his further motion, the title was amended, and on motion of Mr. SANDS, he was ordered to inform the House of Delegates thereof.

He, from the same committee, reported without amendment,
✓ No. 121, House bill to amend and re-enact section 3393 of the Code of Virginia, in relation to how judgment entered on bond for the payment of money.

He, from the same committee, reported with an amendment,
✓ No. 122, House bill to amend and re-enact section 4093 of the Code of Virginia, in relation to recognizances.

He, from the same committee, reported without amendment,
✓ No. 123, House bill to amend and re-enact section 177 of the Code of Virginia, in relation to bonds taken by courts and officers.

And he, from the same committee, reported, with recommendation that it do not pass,

✓ No. 145, House bill to allow a party to impeach a witness called by himself in certain cases.

✓ The bill was subsequently taken up, read the third time, and on motion of Mr. JONES, the bill was rejected.

Mr. STUBBS, from the committee on public institutions and education, reported without amendment,

✓ No. 90, House bill to authorize Fairfield School District, in the county of Henrico, to issue bonds for the payment of a building for a graded school.

And he, from the same committee, reported without amendment,

✓ No. 241, House bill to authorize and empower the several boards of visitors to the institutions of this State to investigate the management of their institution or the conduct of any of its officers or employees.

Mr. JORDAN, from the committee on agriculture, mining and manufacturing, reported without amendment,

✓ No. 382, Senate bill to amend and re-enact section 2197, relating to burial of hogs that die from disease.

Mr. FLANAGAN, by leave, presented

✓ A petition from L. W. Reams and others, of Powhatan county, praying for the repeal of certain acts of Assembly; which, on his motion, was referred to the committee on general laws.

✓ A message was received from the House of Delegates by Mr. COOK, who informed the Senate that that House had passed House bill No. 299; which, on motion of Mr. WICKHAM, was referred to the committee on finance and banks.

✓ Mr. JONES, by leave, presented the following resolution:

Resolved, That during the residue of the present session of the General Assembly, five members shall constitute a quorum of the standing committees of the Senate respectively; which was agreed to.

Mr. LOWRY, by leave, presented

✓ No. 415, Senate bill to fix the number of jurors in the trial of all civil and misdemeanor cases; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MAYNARD, by leave, presented

✓ No. 416, Senate bill to incorporate the Virginia State Fireman's Association; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. JONES, from the special committee on criminal expenses, by leave, presented

✓ No. 417, Senate bill to provide for the transportation of convicts to the penitentiary, and to repeal sections 4065, 4066, 4068, 4069 and 4070 of the Code of Virginia; which, on his motion, was read the first, ordered to be read a second time, and placed on the calendar.

Mr. JONES, by leave, presented

✓ No. 418, Senate bill to amend and re-enact section 3451 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 3451 of the Code of Virginia, in relation to the correction of errors in judgments or decrees by default so as to require written notice of the motion, approved February 20, 1894, so as to permit the record of the pleadings and trial in any action to be amended by the judge of the trial court in vacation by supplying omission therein, proven beyond reasonable doubt; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. FAIRFAX, by leave, presented

✓ No. 419, Senate bill to incorporate the Herndon and Aldie Railroad; which, on his motion, was read the first, ordered to be read a second time, and, on motion of Mr. MORRIS (the rules being suspended therefor), was placed on the calendar.

Mr. WICKHAM, by leave presented,

✓ No. 420, Senate bill to establish a State weather service in this State for the purpose of collecting and compiling its climatic and meteorological features, and extending the benefits of the warnings of the National Weather Bureau, the same to be used for the benefit of the agricultural, commercial and scientific interests of the State; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on agriculture, mining and manufacturing.

Mr. JONES, from the committee on special criminal expenses, by leave, presented

✓ No. 421, Senate bill to amend and re-enact section 3534 of the Code of Virginia, in relation to fees of witnesses for the Commonwealth; which, on his motion, was read the first, ordered to be read a second time, and placed on the calendar.

Mr. MASON, by leave, presented

✓ A joint resolution relating to the protection of the rights of person fishing in the Potomac river; which, on his motion, was referred to the committee on fish and game.

✓ No. 144, Senate bill to amend and re-enact section 18 of chapter 1 of an act entitled an act to provide for the assessment of taxes

on persons, property, and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixtures thereof, in cases where a court certificate is required, approved March 6, 1890, in reference to taxing insurance companies, was taken up, and, on motion of Mr. ECHOLS, the vote by which the bill was ordered to be engrossed was reconsidered and made the special order for Wednesday, the 29th inst., at one o'clock.

The following Senate bills were taken up, read the third time, and passed with their titles:

- ✓ No. 22, Senate bill to authorize the construction by the Piedmont Soapstone Company of tramways or railroad not exceeding twenty-five miles in length, and the encumbering and disposal of the same.
- ✓ No. 71, Senate bill to amend and re-enact section 7 of an act entitled an act to incorporate the Potts Valley Railroad and Iron Company, as amended and re-enacted by chapter 140 of the session Acts of 1893-'94, approved February 6, 1894.
- ✓ No. 153, Senate bill for the relief of Thomas C. Miller, treasurer of the town of Wytheville.
- ✓ No. 208, Senate bill to amend and re-enact section 6 of an act to incorporate the Blue Ridge Railroad Company, approved February 15, 1892, amended and re-enacted by an act approved January 23, 1894.
- ✓ No. 227, Senate bill to repeal the charter of the Monarch Fire Insurance Company, of Alexandria county, Va., which was granted by the judge of the circuit court of Alexandria county, on the twelfth day of February, 1895, under section 1145 of the Code of Virginia, and amendatory acts.
- ✓ No. 278, Senate bill to authorize J. L. Saunders, treasurer of Henry county, further time in which to collect taxes and county levies for the years 1890, 1891, 1892, 1893 and 1894.
- ✓ No. 340, Senate bill to allow Louis Jones, late treasurer of Middlesex county, further time to distrain and levy for taxes, levies and licenses for the years 1890, 1891 and 1892.
- ✓ No. 346, Senate bill to consolidate the Hampton and Old Point Railway Company and the Newport News Street Railway Company, and thereby to create a corporation to be known as the Newport News, Hampton and Old Point Railway Company.
- ✓ No. 361, Senate bill to repeal the charter of the Westmoreland Insurance Company, of Colonial Beach, Va., which was granted by the judge of the circuit court of Westmoreland county, on the sixteenth day of July, 1892, under section 1145 of the Code of Virginia and amendatory acts.
- ✓ No. 374, Senate bill to amend and re-enact sections 1 and 13 of an act entitled an act to incorporate the Fredericksburg and Lancaster Railroad Company, approved January 22, 1894.

- ✓ No. 349, Senate bill for the relief of Charles M. Jordan, of Halifax, was taken up, and on motion of Mr. JORDAN, read the third time, and passed with its title—ayes, 31; noes, none.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Flanagan, Flood, Green, Hale, E. H. Jackson, G. W. Jackson, Jones, Jordan, Keezell, LeCato, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, and Williams—31.

NOES—None.

- ✓ A message was received from the House of Delegates by Mr. DIGGS, who informed the Senate that that house had passed the following joint resolution:

- ✓ Resolved by the House of Delegates (the Senate concurring), That the committees for courts of justice of the Senate and House of Delegates be authorized and instructed to sit jointly, and consider what amendments, if any, are necessary to be made to the constitution of the State of Virginia; and should said committees deem it necessary to propose any such amendments, they shall report said bill or bills as may be necessary to amend said constitution, and provide for submitting the same to the voters of the State.

- ✓ No. 78, House bill designating the days and half-days to be observed as legal holidays, and for the payment, acceptance, and protesting of bills, notes, drafts, checks, and other negotiable paper on such days.

- ✓ The bill was taken up, read the third time, and on motion of Mr. JONES, amended and passed; and on his further motion, the title was amended so as to conform to the bill as amended. On his further motion, the vote was recorded as follows—ayes, 22; noes, 10.

- ✓ AYES—Messrs. Barnes, Boykin, Buchanan, Echols, Flanagan, Green, Hale, E. H. Jackson, Jones, Jordan, Kane, LeCato, Mason, Maynard, McIlwaine, Mushbach, Sands, Snead, Southall, Turnbull, Wickham, and Withers—22.

NOES—Messrs. Brown, Clement, G. W. Jackson, Keezell, Lowry, Morris, Parr, St. Clair, Tredway, and Williams—10.

- ✓ No. 43, House bill entitled an act to amend and re-enact an act approved January 14, 1892, entitled an act to incorporate the Empire Transportation Company.

- ✓ The bill being the special order for to-day at one o'clock, was taken up, read the third time, and committee's amendments agreed to.

Mr. MAYNARD made an ineffectual motion to insert "Norfolk and Berkley and Portsmouth and Berkley after Portsmouth, in section 6, line 2" of bill.

On his further motion, offered the following:

In lieu of section 10 insert the following: "The said company shall not operate and maintain a ferry between the cities of Norfolk and Portsmouth without also operating and maintaining fer-

ries between all such other points as are now operated and maintained by the Norfolk county ferries; the failure to comply with any of the provisions of this charter shall operate as a forfeiture of the same"; which was rejected.

He then proposed the following amendment:

"Provided that this act shall conform to the provisions of section 1386, chapter 62 of the Code"; on which he asked a recorded vote.

The vote as recorded is as follows—ayes, 10; noes, 18.

AYES—Messrs. Clement, Flanagan, Flood, Hale, E. H. Jackson, G. W. Jackson, Maynard, Morris, Parr, and Stubbs—10.

NOES—Messrs. Barnes, Boykin, Brown, Buchanan, Echols, Jones, Jordan, Kane, Keezell, LeCato, Mason, Morris, Mushbach, Sands, Snead, St. Clair, Tredway, Wickham, and Williams—18.

✓ Mr. MAYNARD then called the pending question, and the bill was passed as amended by the committee, and the vote recorded as follows—ayes, 20; noes, 6.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Echols, Jones, Jordan, Kane, Keezell, LeCato, Mason, Morris, Mushbach, Sands, Snead, St. Clair, Stubbs, Tredway, Wickham, and Williams—20.

NOES—Messrs. Clement, Flanagan, Hale, G. W. Jackson, Maynard, and Parr—6.

On motion of Mr. BOYKIN, he was ordered to inform the House of Delegates thereof.

On motion of Mr. SNEAD, the Senate adjourned until to-morrow, twelve o'clock.

SATURDAY, JANUARY 25, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. H. C. Garrison.

Journal of yesterday read by the clerk.

A communication was received from the House of Delegates by their clerk, which was read as follows:

In House of Delegates, January 24, 1896.

✓ The House of Delegates has passed Senate bills entitled an act giving a defendant in any case of misdemeanor the right to waive trial by jury, No. 52; an act to amend and re-enact section 2823 of chapter 130 of the Code of Virginia, 1887, in relation to interest, No. 78; an act to authorize Thomas W. Shelton, deputy treasurer of Patrick county, to collect taxes due for year 1892, No. 251; an act to amend and re-enact an act entitled an act to amend and re-

✓ enact section 622 of the Code of Virginia, in reference to the property that may be distrained for taxes, approved January 15, 1890, approved March 2, 1892, No. 146; an act to authorize the Board of Supervisors of Norfolk county to issue bonds for the redemption of ferry bonds issued under an act of the General Assembly, approved May 23, 1887, No. 331; and an act to ratify, confirm and enlarge the charter of the Norfolk Wharf, Warehouse and Terminal Company; to confer upon it the rights and obligations of a railway and transportation company as prescribed, and to change the name thereof to the Norfolk Terminal and Transportation Company, No. 412.

✓ They have agreed to the amendments of the Senate to House bill entitled an act to authorize the circuit court of Clarke county, or the judge thereof in vacation, to appoint an additional commissioner in chancery, No. 118.

✓ They have passed Senate bill entitled an act making it unlawful for insurance companies, not incorporated by the laws of the State of Virginia, but legally admitted to do business therein, to place, or cause to be placed, insurance on property in this State in offices outside of the State, in violation of the tax laws of the State of Virginia; and prescribing penalties for violation of the same; and prescribing the duties and compensation of the auditor of public accounts in relation thereto; and providing for renewal of license privileges of companies doing business in this State, No. 159, with amendments.

✓ They have passed House bills entitled an act to consolidate in one act all acts creating and amending the charter of the city of Lynchburg, and to create a new charter for said city, No. 205; an act to appoint R. E. Wynn agent of the State of Virginia to collect and settle claims due from the United States to Virginia, No. 219; an act for extending the time for collection of certain taxes and levies by the treasurer of Fluvanna county and his deputies, No. 221; an act for extending the time for collection of certain taxes and levies by the treasurer of Goochland county and his deputies, No. 223; an act for the relief of the Botetourt Agricultural and Mechanical Association, No. 224; an act for the relief of C. B. Beamer, S. J. Fisher, M. Goldberg, Ella Morgan, L. Shere, J. W. Richardson, and I. Greenspon, to refund portion of tax, No. 228; an act to amend and re-enact section 164 of the Code of Virginia, as amended and re-enacted by an act approved February 15, 1894, in relation to allowing certain persons to hold State and United States offices, No. 230; an act to amend and re-enact section 3904 of the Code of Virginia, entitled how, of persons convicted of misdemeanor, minimum fine, No. 235; an act to amend and re-enact section 3807 of the Code of Virginia, entitled selling, etc., spirituous liquors, or articles of traffic, within three miles of camp-meeting, etc., how punished, No. 236; an act to amend and re-enact section 5 of an act entitled an act to create a board of excise commissioners for Alexandria county, approved March 2, 1894, No. 238; an act to

✓ amend and re-enact section 1 of an act entitled an act to require the board of supervisors of Alexandria county to tax the sale of ardent spirits and malt liquors in said county, No. 239; an act to amend and re-enact an act approved March 7, 1894, entitled an act to amend and re-enact an act entitled an act to protect game in the county of King and Queen, approved January 31, 1890, No. 240; an act for the relief of N. T. Sedwick, B. F. Strickler, and Frank Phillips, deputy treasurers for W. O. Yager, late treasurer of Page county, No. 257; and an act to amend and re-enact section 1492, Code of Virginia, 1887, in relation to the attendance of children in public schools, 263.

In which amendments and bills they request the concurrence of the Senate.

✓ No. 159, Senate bill making it unlawful for insurance companies not incorporated by the laws of the State of Virginia, but legally admitted to do business therein, to place, or cause to be placed, insurance on property in this State in offices outside of the State, in violation of the tax laws of the State of Virginia, and prescribing penalties for violation of the same; and prescribing the duties and compensation of the auditor of public accounts in relation thereto; and providing for renewal of license privileges of companies doing business in this State, was taken up, read the third time, and the amendment proposed by the House of Delegates was not concurred in, and on motion of Mr. KEEZELL, he was ordered to inform the House of Delegates thereof.

✓ No. 219, Senate bill to appoint R. E. Wynn agent of the State of Virginia to collect and settle claims due from the United States to Virginia, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 205, House bill entitled an act to consolidate in one act all acts creating and amending the charter of the city of Lynchburg, and to create a new charter for said city, was taken up, twice read, and on motion of Mr. CLEMENTS (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, and on his further motion (two-thirds concurring), was read the third time, and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 221, Senate bill for extending the time for collection of certain taxes and levies by the treasurer of Fluvanna county and his deputies, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 223, Senate bill for extending the time for collection of certain taxes and levies by the treasurer of Goochland county and his deputies, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 224, Senate bill for the relief of Botetourt Agricultural and

Mechanical Association, was taken up, twice read, and referred to the committee on finance and banks.

- ✓ No. 228, Senate bill for the relief of C. B. Beamer, S. J. Fisher, M. Goldberg, Ella Morgan, L. Shere, I. W. Richardson, and I. Greenspon, to refund a portion of the tax paid by them for liquor licenses for the year commencing May 1, 1895, and expiring April 30, 1896, was taken up, twice read, and referred to the committee on finance and banks.

- ✓ No. 230, Senate bill to amend and re-enact section 164 of the Code of Virginia, as amended and re-enacted by an act approved February 15, 1894, in relation to allowing certain persons to hold State and United States offices, was taken up, twice read, and referred to the committee on general laws.

- ✓ No. 235, Senate bill to amend and re-enact section 3904 of the Code of Virginia, entitled how, of person convicted of misdemeanor, minimum fine, was taken up, twice read, and referred to the committee for courts of justice.

- ✓ No. 236, Senate bill to amend and re-enact section 3807 of the Code of Virginia, entitled selling, etc., spiritous liquors or articles of traffic within three miles of camp-meetings, etc., how punished, was taken up, twice read, and referred to the committee for courts of justice.

- ✓ No. 238, Senate bill to amend and re-enact section 5 of an act to create a board of excise commissioners for Alexandria county, approved March 2, 1894, was taken up, twice read, and referred to the committee on county, city, and town organizations.

- ✓ No. 239, House bill entitled an act to amend and re-enact section 1 of an act entitled an act to require the Board of Supervisors of Alexandria county to tax the sale of ardent spirits and malt liquors in said county, approved March 7, 1894, was taken up, twice read, and referred to the committee on county, city and town organizations.

- ✓ No. 240, House bill entitled an act to amend and re-enact an act approved March 7, 1894, entitled an act to amend and re-enact an act entitled an act to protect game in the county of King and Queen, approved January 31, 1890, was taken up, twice read, and referred to the committee on fish and game.

- ✓ No. 257, House bill entitled an act for the relief of N. T. Sedwick, B. F. Stricker and Frank Phillips, deputy treasurers of W. O. Yager, late treasurer of Page county, was taken up, twice read, and referred to the committee on finance and banks.

- ✓ No. 263, House bill entitled an act to amend and re-enact section 1492, Code of Virginia, 1887, in relation to the attendance of children in public schools, was taken up, twice read, and referred to the committee on public institutions and education.

Mr. WILLIAMS, for Mr. SANDS, from the committee on general laws, reported with amendments,

- ✓ No. 82, Senate bill to incorporate the Peninsular Gaslight, Fuel and Power Company.

He, from the same committee, reported with a recommendation that it do not pass.

- ✓ No. 32, Senate bill to prevent and punish discrimination in favor of individuals in the amount and payment of premiums charged for policies, life or endowment insurance.

He, from the same committee, reported without amendment,

- ✓ No. 359, Senate bill to incorporate the Virginia Telephone Manufacturing Company.

He, from the same committee, reported without amendment,

- ✓ No. 402, Senate bill to incorporate the American Telautograph Company.

He, from the same committee, reported without amendment,

- ✓ No. 39, House bill to amend the charter of the Chesapeake Land and Improvement Company.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment,

- ✓ No. 40, House bill to amend and re-enact an act entitled an act to amend and re-enact section 1916 of the Code in relation to the duties of the sealer of weights and measures, approved February 9, 1892.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

And he, from the same committee, reported without amendment,

- ✓ No. 217, House bill entitled an act to incorporate the Odd Fellows Joint Stock Company of Alexandria, Va., and to authorize the conveyance to said company of certain real estate in the city of Alexandria, Va., purchased for its use and benefit.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

Mr. ECHOLS, from the committee on roads and internal navigation, reported with an amendment,

- ✓ No. 367, Senate bill to incorporate the Lexington and Goshen Railroad Company.

He, from the same committee, reported without amendment,

- ✓ No. 396, Senate bill to amend and re-enact section 1073 of the Code of Virginia in reference to the quantity of land to be taken by works of internal improvement.

And he, from the same committee, reported

- ✓ No. 289, Senate bill for the relief of the Farmville and Powhatan Railroad Company, with the recommendation that the committee be discharged from the further consideration of this bill, and that it be referred to the committee on finance and banks.

And it was so ordered.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment,

- ✓ No. 235, Senate bill for the relief of R. M. Mallory, of Brunswick county, Virginia.

He, from the same committee, reported with the recommendation that the bill be referred to the committee on fish and game,

- ✓ No. 239, House bill to amend and re-enact section 2164 of the Code of Virginia in reference to when license to dredge oysters granted to residents, application therefor as amended and re-enacted by act approved March 5, 1894.

And it was so ordered.

- ✓ He, from the same committee, reported without amendment, No. 360, Senate bill to relieve Marcellus Nevin, of the county of Lunenburg, from the payment of a fine imposed upon him by the county court of said county.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 375, Senate bill for the relief of Fannie Grymes.
- ✓ On motion of Mr. MASON, the bill was recommitted to the committee on finance and banks.

He, from the same committee, reported without amendment,

- ✓ No. 157, House bill to amend and re-enact section 456 of the Code of Virginia in relation to the lien for taxes and levies.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment,

- ✓ No. 175, House bill requiring the auditor of public accounts to make a statement annually showing an accounting of the county and city treasurers with the State who are in arrears, and prescribing the manner in which the same shall be made public.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported with a substitute,

- ✓ No. 214, House bill entitled an act to repeal an act entitled an act to amend and re-enact section 666 of the Code of Virginia in relation to delinquent lands purchased in the name of the auditor, approved March 5, 1894.

- ✓ The bill was subsequently taken up, read the third time, and the committee's substitute ordered to be printed, and the bill and substitute made the special order for Monday, January 27, at 12:45 P. M.

And he, from the same committee, reported with amendment,

- ✓ No. 299, House bill to amend and re-enact section 457 of the Code of Virginia relative to what real estate exempt from taxation.

- ✓ The bill was subsequently taken up, read the third time, committee's amendments agreed to, and passed with its title—ayes, 25; noes, 1.

AYES—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Echols, Flood, Green, Hale, E. H. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Lowry, Morris, Parr, Southall, St. Clair, Tredway, Turnbull, Wickham, Williams and Withers—25.

NOES—Mr. Flanagan.

✓ Mr. LECATO, by leave, presented

No. 422, Senate bill to amend and re-enact sections 2 and 10 of an act entitled an act to protect sheep and other stock in the counties of Accomac and Northampton, approved February 7, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on agriculture, mining and manufacturing.

Mr. MASON, by leave, presented

✓ No. 423, Senate bill to satisfy, confirm and approve charters incorporating joint stock companies granted by the circuit or corporation courts of this State, or by the judge of any such court in vacation, in which the capital stock is not in excess of ten thousand dollars, and directors, including the president, are fixed at three; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BROWN, by leave, presented

✓ No. 424, Senate bill to authorize the county school board of Nelson county to apportion the district school tax levied upon railroad and telegraph companies; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. BROWN, by leave, presented

✓ No. 425, Senate bill to amend and re-enact section 3653 of the Code of 1887, relating to what articles, on death of householder, vest absolutely in widow, minor children, and unmarried daughters; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BROWN, by leave, presented

✓ No. 426, Senate bill to amend and re-enact section 3804, Code of 1887, relating to the sale of intoxicating liquors on Sunday; how punished; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BROWN, by leave, presented

✓ No. 427, Senate bill to provide more effectually for the punishment of vagrants; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BARNES, by leave, presented

✓ No. 428, Senate bill to authorize E. W. Worburton to erect a wharf, dock or pier on his tract of land called Fish House, in James City county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

- ✓ Mr. BUCHANAN, by leave, presented
✓ No. 429, Senate bill to incorporate the Virginia Southwestern Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.
- ✓ Mr. BUCHANAN (by request), by leave, presented
No. 430, Senate bill to authorize the auditor of public accounts to accept from the Bristol Land Company a certain sum of money in satisfaction of the taxes due to the State for the years 1892, 1893, 1894 and 1895, and to extend the time of the payment thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.
- ✓ Mr. BROWN, by leave, presented
✓ No. 431, Senate bill to amend and re-enact section 3793 of the Code of Virginia in relation to the punishment of buggery; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.
- Mr. KANE, by leave, presented
✓ No. 432, Senate bill to authorize and provide for a special election in the county of Wise as to the removal of the courthouse of said county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.
- ✓ No. 121, House bill to amend and re-enact section 3393 of the Code of Virginia, in relation to how judgment entered on bond for the payment of money, was taken up, read the third time, and passed with its title.
- ✓ No. 122, House bill to amend and re-enact section 4093 of the Code of Virginia, in relation to recognizances, was taken up, read the third time, committee's amendment agreed to, and passed with its title.
- ✓ No. 123, House bill to amend and re-enact section 177 of the Code of Virginia, in relation to bonds taken by courts and officers, was taken up, read the third time, and passed with its title.
- ✓ No. 241, House bill to authorize and empower the several boards of visitors to the institutions of this State to investigate the management of their institution or the conduct of any of its officers or employees, was taken up, read the third time, and passed with its title.
- ✓ No. 90, House bill to authorize Fairfield School District, in the county of Henrico, to issue bonds for the payment of a building for a graded school, was taken up, read the third time, and passed with its title.
- ✓ No. 417, Senate bill to provide for the transportation of convicts to the penitentiary, and to repeal sections 4065, 4066, 4067 4068, 4069, and 4070 of the Code of Virginia, was taken up, twice read, and ordered to be engrossed and read a third time.
- ✓ No. 421, Senate bill to amend and re-enact section 3534 of the

Code of Virginia, in relation to fees of witnesses for the Commonwealth, was taken up, twice read, and ordered to be engrossed and read a third time.

✓ No. 404, Senate bill to incorporate the Colonial Beach Agricultural and Industrial Association, was taken up, twice read, and ordered to be engrossed and read a third time.

✓ No. 405, Senate bill to amend and re-enact section 18 of chapter 2 of an act entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixtures thereof, in cases where a court certificate is required, approved March 6, 1890, was taken up, twice read, and Mr. HALE offered the following amendment:

In section 18, line 26, beginning at the word "when," strike out all up to and including the word "dollars," on line 28, which was rejected by the following vote—ayes, 4; noes, 18.

AYES—Messrs. Echols, Hale, E. H. Jackson, and Parr—4.

NOES—Messrs. Barnes, Brown, Buchanan, Clement, Flood, Green, Jones, Jordan, Keezell, LeCato, Lowry, Morris, Southall, St. Clair, Tredway, Turnbull, Williams, and Withers—18.

✓ On motion of Mr. HALE, leave of absence for two days was granted Mr. G. W. JACKSON.

✓ On motion of Mr. SOUTHALL, leave of absence for three days was granted Mr. SNEAD.

A message was received from the House of Delegates by Mr. POWELL, who informed the Senate that that House had agreed to the following joint resolution:

Resolved (the Senate concurring), That the General Assembly will proceed, on this day at one o'clock P. M., to the election of a judge for the corporation court for the city of Newport News.

✓ The joint resolution was taken up, and, on motion of Mr. BARNES, was agreed to, and, on his further motion, he was ordered to inform the House of Delegates thereof.

The hour of one o'clock having arrived, it was

Ordered, That Mr. KANE inform the House of Delegates that the Senate was ready on its part to proceed with the execution of the joint order.

A message was received from the House of Delegates by Mr. POWELL, who informed the Senate that that House was also ready on its part to proceed.

For judge of the city of Newport News, Mr. BARNES nominated Mr. Thomas J. Barham.

The roll was then called with the following result:

For Thomas J. Barham,

25

Senators who voted for Mr. BARHAM, are—Messrs. Barnes, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hale, Jones, Jordan, Kane, Keezell, Le'ato, Lowry, Mason, Morris, Parr, Southall, St. Clair, Tredway, Turnbull, Wickham, and Williams, Withers—25.

The PRESIDENT appointed Messrs. BARNES and HALE as a committee on the part of the Senate, to meet a similar committee on the part of the House of Delegates, and count the joint vote, who, through their chairman, Mr. BARNES, reported :

For judge of the city of Newport News—

Whole number of votes cast,	-	-	-	108
Necessary to a choice,	-	-	-	55
Of which Thomas J. Barham received,	-	-	-	108

Thomas J. Barham having received all the votes cast, was declared duly elected judge of the city of Newport News for the legal term of that office.

✓ The House joint resolution, as to amending the constitution of of Virginia, was taken up and referred to the committee for courts of justice.

On motion of Mr. FLANAGAN, the Senate adjourned until twelve o'clock Monday.

MONDAY, JANUARY 27, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Geo. C. Abbitt.

Journal of Saturday read by the clerk.

A communication received from the House of Delegates, by their clerk, which was read as follows:

In House of Delegates, January 25, 1896.

✓ The House of Delegates has agreed to the amendments of the Senate to House bill entitled an act to authorize the governor of the Commonwealth of Virginia to have removed from the penitentiary, and the judge of the county and corporation courts to have removed from the jails of such counties and corporations, prisoners who have contracted any contagious or infectious disease dangerous to public health, No. 137.

✓ They have passed Senate bills entitled an act giving the consent of this State to the purchase by the United States of certain real estate in the county of Norfolk, and exempting the same from taxation, No. 69; an act to incorporate the Wythe County Railroad Company, No. 180; an act governing the location of Fall Gates on the Front Royal Turnpike Company's road, in the counties of Fred-

✓ erick and Clarke, No. 139; an act to amend section 1 of the charter of the town of Tazewell, in Tazewell county, No. 335; an act to repeal an act entitled an act in reference to fences in Princess Anne county, approved February 3, 1882, as amended and re-enacted by an act entitled an act to amend and re-enact chapter 56 of the Acts of 1881-2, entitled an act in reference to fences in Princess Anne county, approved March 3, 1890, No. 344; and an act to consolidate the Hampton and Old Point Railway Company and the Newport News Street Railway Company, and thereby create a corporation to be known as the Newport News, Hampton and Old Point Railway Company, No. 346.

✓ They have agreed to the amendment of the Senate to House bill entitled an act to amend and re-enact section 457 of the Code relative to what real estate exempt from taxation, No. 299.

✓ They have passed House bills entitled an act to authorize land owners to erect and maintain gates across private roads, No. 218; an act to amend and re-enact sections 525, 3518, and 3519 of the Code of Virginia in relation to fee bills, No. 231; an act to amend and re-enact section 3160 of the Code of Virginia in relation to pay and mileage of jurors, No. 233; an act to relieve Mrs. Catharine Sweeney from effects of erroneous taxation for years 1892, 1893, 1894, and 1895, No. 227; an act to revive, amend, and re-enact an act entitled an act to incorporate the Portsmouth, Smithfield and Western Railway Company, approved March 2, 1892, as amended by an act entitled an act to amend and re-enact sections 1, 10, and 12 of an act entitled an act to incorporate the Portsmouth, Smithfield and Western Railway Company, approved March 2, 1892, and to add an independent section thereto, approved March 2, 1894, No. 245; an act to incorporate the Nansemond and Warwick Ferry Company, No. 246; an act to incorporate the Hinton, New River and Western Railway Company, No. 247; an act to authorize the Port Norfolk Electric Company to extend its tracks, No. 248; an act to amend and re-enact an act entitled an act for the protection of fish in Pig river and Blackwater, approved February 27, 1894, No. 252; and an act to allow I. N. Eason, of Norfolk county, further time in which to collect certain tax tickets in his hands not returned delinquent, No. 254.

In which bills they request the concurrence of the Senate.

✓ No. 218, House bill entitled an act to authorize land-owners to erect and maintain gates across private roads was taken up, twice read, and referred to the committee on county, city and town organizations,

✓ No. 231, House bill entitled an act to amend and re-enact sections 525, 3518 and 3519 of the Code of Virginia, in relation to fee bills, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 233, House bill entitled an act to amend and re-enact sec-

tion 3160 of the Code of Virginia, in relation to the pay and mileage of jurors. was taken up, twice read, and referred to the committee for courts of justice.

- ✓ No. 227, House bill entitled an act to relieve Mrs. Catharine Sweeny from effects of erroneous taxation for the years 1892, 1893, 1894, and 1895, was taken up, twice read, and referred to the committee on finance and banks.

- ✓ No. 245, House bill entitled an act to revive, amend and re-enact an act entitled an act to incorporate the Portsmouth, Smithfield, and Western Railway Company, approved March 2, 1892, as amended by an act entitled an act to amend and re-enact sections 1, 10 and 12 of an act entitled an act to incorporate the Portsmouth, Smithfield, and Western Railway Company, approved March 2, 1892, and to add an independent section thereto, approved March 2, 1894, was taken up, twice read, and referred to the committee on roads and internal navigation.

- ✓ No. 246, House bill entitled an act to incorporate the Nansemond and Warwick Ferry Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

- ✓ No. 247, House bill entitled an act to incorporate the Hinton, New River, and Western Railway Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

- ✓ No. 248, House bill entitled an act to authorize the Port Norfolk Electric Company to extend its tracks, was taken up, twice read, and referred to the committee on roads and internal navigation.

- ✓ No. 252, House bill entitled an act to amend and re-enact an act entitled an act for the protection of fish in Pig river and Black water, approved February 27, 1894, was taken up, twice read, and referred to the committee on fish and game.

- ✓ No. 254, House bill entitled an act to allow I. N. Eason, of Norfolk county, further time in which to collect certain tax tickets in his hands not returned delinquent, was taken up, twice read, and referred to the committee on finance and banks.

Mr. SANDS, from the committee on general laws, reported without amendment,

- ✓ No. 156, Senate bill to amend and re-enact the preamble and first section of an act entitled an act authorizing the counties of Cumberland and Powhatan to change the form of the bonds subscribed to the Farmville and Powhatan Railroad Company.

He, from the same committee, reported with amendments,

- ✓ No. 257, Senate bill to amend and re-enact an act to authorize the county of Powhatan to change the form of the bonds subscribed to the Farmville and Powhatan Railroad Company, approved December 19, 1889, and to amend the same so as to allow the board of supervisors of said county to refund the conditional bonds and the interest due thereon.

- ✓ The bill was subsequently taken up, read the second time, com-

- ✓ mittee's amendments agreed to, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. FLANAGAN (two thirds concurring), passed with its title.

And he, from the same committee, reported with the recommendation that it be referred to the committee for courts of justice,

- ✓ No. 355, Senate bill to amend chapter 130 of the Code of Virginia. The bill was subsequently taken up, committee's recommendations agreed to, and ordered to be so referred.

Mr. JONES, from the committee for courts of justice, reported with an amendment,

- ✓ No. 149, Senate bill to amend and re-enact section 3680 of the Code of Virginia, in reference to rape and its punishment.

He, from the same committee, reported with an amendment,

- ✓ No. 173, Senate bill to amend and re-enact section 3515 of the Code of Virginia, in relation to fees of officers.

And he, from the same committee, reported with recommendation that it be referred to special committee on criminal expenses,

- ✓ No. 174, Senate bill to amend and re-enact section 3529 of the Code of Virginia, in relation to fees of officers.

- ✓ The bill was subsequently taken up, the committee's recommendation agreed to, and ordered to be so referred.

He, from the same committee, reported with recommendation that it be referred to committee on roads and internal navigation,

- ✓ No. 212, House bill to amend and re-enact section 1258 of the Code of Virginia of 1887, in relation to railroad companies enclosing their road-beds with fences and erecting cattle-guards.

- ✓ The bill was subsequently taken up, committee's recommendation agreed to, and ordered to be so referred.

And he, from the same committee, reported with an amendment,

- ✓ No. 180, House bill to amend and re enact an act entitled an act to make husband and wife competent witnesses for or against each other in civil cases, approved March 5, 1894, and the title of said act.

- ✓ The bill was subsequently taken up, committee's amendments agreed to, and passed with its title.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported without amendment,

- ✓ No. 299, Senate bill to incorporate the town of Saltville, and to repeal an act entitled an act to incorporate the town of Saltville, approved March 8, 1894.

Mr. FLOOD, for the committee on fish and game, reported with amendments,

- 4 No. 119, House bill to protect game in the county of Fairfax.

- ✓ The bill was subsequently taken up, read the third time, committee's amendments agreed to, and passed with its title.

Mr. ECHOLS, from the committee on roads and internal navigation, reported without amendment,

- ✓ No. 97, House bill to amend and re-enact section 12 of an act to

incorporate the Metropolitan Western Railroad of Virginia, approved February 4, 1890, as amended, &c.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported with amendments,

✓ No. 125, House bill to enlarge the powers of the Richmond Traction Company.

✓ The bill was subsequently taken up, committee's amendments agreed to, and passed with its title.

He, from the same committee, reported without amendment.

✓ No. 354, Senate bill to amend and re-enact section 8 of an act entitled an act to incorporate the Ohio River and Charleston Railroad Company as the successor of the Charleston, Cincinnati and Chicago Railroad Company, approved February 12, 1894.

He, from the same committee, reported without amendment,

✓ No. 383, Senate bill to amend and re-enact section 9 of an act entitled an act to incorporate the Gladeville Railroad Company, in Wise county, approved February 20, 1892.

And he, from the same committee, reported with amendments,

✓ No. 384, Senate bill to authorize the Big Stone Gap Iron Company to build railroads to its mines.

✓ No. 404, Senate bill to incorporate the Colonial Beach Agricultural and Industrial Association, was taken up, read the third time, and passed with its title.

✓ No. 405, Senate bill to amend and re-enact section 18 of chapter 2 of an act entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon, for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is required, approved March 6, 1890, was taken up, read the third time, and passed with its title.

✓ On motion of Mr. HAY, the roll was called with the following result—ayes, 15; noes, 8.

AYES—Messrs. Brown, Buchanan, Claytor, Clement, Flanagan, Green, Jones, LeCato, Lovenstein, Southall, St. Clair, Tredway, Turnbull, Williams, and Withers—15.

NOES—Messrs. Boykin, Echols, Hale, Hay, E. H. Jackson, Little, Mason, and Maynard—8.

✓ No. 417, Senate bill to provide for the transportation of convicts to the penitentiary, and to repeal sections 4065, 4066, 4067, 4068, 4069 and 4070 of the Code of Virginia, was taken up, read the third time, and passed with its title.

✓ On motion of Mr. WILLIAMS, the roll was called with the following result—ayes, 27; noes, 2.

AYES—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Flood, Green, Hale, Hay, Jones, Jordan, Keezell, LeCato, Little, Lovenstein, Mason, Maynard, McIlwaine, Parr, Sands, Southall, Stubbs, Tredway, Turnbull, Wickham, Williams and Withers—27.

NOES—Messrs. Echols and Flanagan—2.

On motion of Mr. WITHERS, he was ordered to inform the House of Delegates thereof.

✓ No. 421, Senate bill to amend and re-enact section 3534 of the Code of Virginia in relation to fees of witnesses for the Commonwealth, was taken up, read the third time, and passed with its title.

✓ On motion of Mr. WITHERS, he was ordered to inform the House of Delegates thereof.

✓ No. 402, Senate bill to incorporate the American Telautograph Company, was taken up, read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. SANDS (two-thirds concurring), read the third time, and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 359, Senate bill to incorporate the Virginia Telephone Company, was taken up, read the second time, and ordered to be engrossed and read a third time.

✓ No. 82, Senate bill to incorporate the Peninsula Gaslight, Fuel and Power Company, was taken up, read the second time, committee's amendments agreed to, and ordered to be engrossed and read a third time.

✓ No. 214, House bill to repeal an act entitled an act to amend and re-enact section 666 of the Code of Virginia in relation to delinquent lands purchased in the name of the auditor, approved March 5, 1894, being the special order for to-day at 12:45 o'clock, was taken up, and the committee's amendments agreed to; and on motion of Mr. TURNBULL, the bill was further amended.

The bill as amended was ordered to be engrossed and read a third time by the following vote—ayes, 15; noes, 13.

AYES—Messrs. Brown, Claytor, Flanagan, Green, Hale, Kane, Keezell, Little, Mason, Maynard, McIlwaine, Mushbach, Stubbs, Turnbull, and Withers—15.

✓ **NOES**—Messrs. Buchanan, Clement, Echols, Hay, E. H. Jackson, Jones, Jordan, LeCato, Southall, St. Clair, Tredway, Wickham, and Williams—13.

On motion of Mr. WILLIAMS (two-thirds concurring), the bill was read the third time, and passed with its title—ayes, 29; noes, 1.

✓ **AYES**—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hale, E. H. Jackson, Jordan, Kane, Keezell, LeCato, Little, Mason, Maynard, McIlwaine, Mushbach, Sands, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—29.

NOES—Mr. Jones—1.

And on the further motion of Mr. WILLIAMS, he was ordered to inform the House of Delegates thereof.

✓ No. 86, House bill to amend and re-enact section 1497 of the Code of 1887, providing for civil government to be taught in the public free schools, being the special order for to-day at 1 o'clock, was taken up, and the bill rejected by the following vote—ayes, 13; noes, 16.

AYES—Messrs. Boykin, Buchanan, Claytor, Green, Kane, Keezell, LeCato, Mason, Maynard, Southall, St. Clair, Stubbs, and Turnbull—13.

NOES—Messrs. Brown, Echols, Flanagan, Flood, Hale, Hay, Jones, Jordan, Little, McIlwaine, Mushbach, Sands, Tredway, Wickham, Williams, and Withers—16.

Mr. KEEZELL, by leave, presented

✓ No. 433, Senate bill to amend and re-enact section 96 of chapter 9, Code of Virginia, in relation to the election of district officers; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. LITTLE, by leave, presented

✓ No. 434, Senate bill to authorize the city council of Fredericksburg to issue its coupon or registered bonds for the purpose of constructing sewers and improving streets, and for other purposes of internal improvement and benefit to the city; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), was placed on the calendar.

✓ The bill was subsequently taken up, read the second time, and ordered to be engrossed and read a third time, and, on his further motion (two-thirds concurring), was passed with its title, and, on his further motion, he was ordered to inform the House of Delegates thereof.

Mr. MUSHBACH, by leave, presented

✓ No. 435, Senate bill to prevent and punish betting, gambling, and the making, writing, or selling of books or pools or mutuels on the results of any trial of speed or power of endurance or skill of animals or beasts, except on the grounds where such trial of speed or power of endurance or skill takes place, or the receiving, registering, recording or forwarding any money, thing or consideration of value for such purpose, beyond the limits of the commonwealth; and to limit the time within which running races of horses or animals may take place; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. GREEN, by leave, presented

No. 436, Senate bill to suppress tippling houses, the illegal and unlawful traffic in ardent spirits, in the counties of Carroll, Wythe and Grayson; which, on his motion, was read the first, ordered to

be read a second time, and referred to the committee on county, city and town organizations.

Mr. LITTLE, by leave, presented

- ✓ No. 437, Senate bill to authorize the collector of city taxes and levies for the city of Fredericksburg to furnish a list of real estate delinquent for the non-payment of said taxes to the city treasurer, for sale for such taxes, and to authorize such collector to otherwise enforce the collection of city taxes and levies in the same manner as the collection of State taxes is enforced by the treasurer of said city; which on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), was placed on the calendar.

Mr. CLAYTOR, by leave, presented

- ✓ No. 438, Senate bill to provide for better school facilities in the county of Craig, and a levy of a special tax therefor; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. CLAYTOR, by leave, presented

- ✓ No. 439, Senate bill for the deposit of State funds in certain cases; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. ECHOLS (by request), by leave, presented

- ✓ No. 440, Senate bill to incorporate the Citizens Deposit Bank; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BUCHANAN, by leave, presented

- ✓ No. 441, Senate bill directing the auditor of public accounts to place the name of Andrew Austin on the pension list; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BUCHANAN, by leave, presented

- ✓ No. 442, Senate bill to extend the time for commencing and completing the construction of the Saltville and Mendota Railroad Company, and to legalize the payment made by said railroad company of the fee required by law; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

On motion of Mr. WICKHAM, the Senate adjourned until tomorrow at twelve o'clock.

TUESDAY, JANUARY 28, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Geo. C. Abbitt.

Journal of yesterday read by the clerk.

A communication from the House of Delegates by their clerk was read as follows:

In House of Delegates, January 27, 1896.

✓ The House of Delegates has agreed to the amendments of the Senate to House bills entitled an act to amend and re-enact sections 1, 3, 9, and 10 of an act of the General Assembly of Virginia, entitled an act to incorporate the Buckroe, Phoebus and Hampton Railroad Company, No. 59; an act extending the time of commencing the construction of the Potomac Western Railroad Company, No. 61; an act to incorporate the American Trunk Line Railroad Company, No. 149; and an act to amend and re-enact an act, approved January 14, 1892, entitled an act to incorporate the Empire Transportation Company, No. 48.

✓ They have agreed to the amendment in the nature of a substitute of the Senate to House bill entitled an act to repeal an act entitled an act to amend and re-enact section 666 of the Code of Virginia, in relation to delinquent lands purchased in the name of the auditor, approved March 5, 1884, No. 214.

✓ They have passed Senate bills entitled an act to amend and re-enact section 3426 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 3426 of the Code of Virginia in relation to interlocutory decrees and orders, approved February 12, 1894, No. 178; an act to amend and re-enact section 3427 of the Code of Virginia in relation to how a chancery cause submitted for decision in vacation, how the decree certified and entered, its effect, No. 177; an act to amend and re-enact section 3428 of the Code of Virginia in relation to power of judge in vacation to enforce obedience to decrees and orders, No. 176; an act to amend and re-enact section 2225 of the Code of Virginia relating to marriage within certain degrees, No. 298; an act to allow B. M. Clement, deputy for J. R. Whitehead, late treasurer of Pittsylvania county, further time to distrain, levy for, and collect certain tax tickets for which he has accounted to the State, No. 272; an act to provide for the transportation of convicts to the penitentiary, and to repeal sections 4065, 4066, 4067, 4068, 4069, and 4070 of the Code of Virginia, No. 417; an act to repeal the charter of the National City Fire Insurance Company, which was granted by the corporation court of the city of Alexandria on the 19th day of March, 1894, under section 1145 of the Code of Virginia, and acts amendatory thereof, No. 217; an act to repeal the charter of the Potomac Insurance Company of Alexandria, Virginia, which was granted

by the corporation court of the city of Alexandria on the 25th day of March, 1893, under section 1145 of the Code of Virginia, and acts amendatory thereof, No. 218; an act to repeal the charter of the Farmers and Mechanics Insurance Company of Alexandria, Virginia, which was granted by the judge of the corporation court of the city of Alexandria, on the 29th day of March, 1892, under section 1145 of the Code of Virginia, and acts amendatory thereof, No. 219; an act to repeal the charter of the National Home Insurance Company of America, which was granted by the judge of the corporation court of the city of Alexandria, on the 28th day of November, 1893, under section 1145 of the Code of Virginia, and acts amendatory thereof, No. 220; an act to repeal the charter of the United Fire Insurance Company, which was granted by the judge of the corporation court of the city of Alexandria on the 2d day of April, 1894, under section 1145 of the Code of Virginia, and acts amendatory thereof, No. 221; an act to repeal the charter of the Phoenix Fire and Marine Insurance Company of Alexandria, Virginia, which was granted by the judge of the corporation court of the city of Alexandria on the 26th day of March, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof, No. 222; an act to repeal the charter of the Potomac Fire and Marine Insurance Company of Alexandria, Virginia, which was granted by the corporation court of the city of Alexandria on the 24th day of January, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof, No. 223; an act to repeal the charter of the Planters Insurance Company of Alexandria, Virginia, which was granted by the corporation court of the city of Alexandria on the 22d day of May, 1893, under section 1145 of the Code of Virginia, and amendatory acts, No. 225; an act to repeal the charter of the Farmers and Mechanics Fire Insurance Company of Alexandria county, Virginia, which was granted by the judge of the circuit court of Alexandria county on January —, 1895, under section 1145 of the Code of Virginia, and amendatory acts, No. 226; an act to repeal the charter of the Provident Fire Insurance Company of Richmond, Va., which was granted by the judge of the circuit court of the city of Richmond on the 21st day of November, 1893, under section 1145 of the Code of Virginia, and amendatory acts, No. 267; an act to provide counsel for poor persons who may be prosecuted for offenses punishable with death, No. 268; an act to repeal the charter of the German-American Fire Insurance Company of Virginia, which was granted by the judge of the circuit court of Richmond on the 7th day of July, 1892, under section 1145 of the Code of Virginia, and amendatory acts, No. 269; an act to repeal the charter of the First National Fire Insurance Company of Fredericksburg, Virginia, which was granted by the judge of the corporation court of Fredericksburg on the 22d day of July, 1893, under section 1145 of the Code of Virginia, and amendatory acts, No. 288; an act to repeal the charter of the Old Domin-

✓ ion Fire Insurance Company of Portsmouth, Virginia, which was granted by the judge of the court of hustings of Portsmouth, on the 20th day of July, 1892, under section 1145 of the Code of Virginia, and amendatory acts, No. 291; an act to repeal the charter of the Commonwealth Fire Insurance Company of Winchester, Va., which was granted by the judge of the corporation court of the city of Winchester, on the 17th day of July, 1893, under section 1145 of the Code of Virginia, and amendatory acts, No. 306; an act to repeal the charter of the Shenandoah Valley Fire Insurance Company of Winchester, Va., which was granted by the judge of the corporation court of the city of Winchester, on the 8th day of September, 1893, under section 1145 of the Code of Virginia and amendatory acts, No. 308; an act to repeal the charter of the Roanoke Underwriters' Agency, of Roanoke, Virginia, which was granted by the judge of the corporation court of the city of Roanoke on the 25th day of April, 1893, under section 1145 of the Code of Virginia, and amendatory acts, No. 317; an act to repeal the charter of the Pequannock Fire Association of Staunton, Va., which was granted by the judge of the corporation court of the city of Staunton, on the 1st day of December, 1892, under section 1145 of the Code of Virginia, and amendatory acts, No. 339; an act to repeal the charter of the Virginia Farmers Insurance Company of Norfolk, Va., which was granted by the judge of the corporation court of the city of Norfolk, on the 9th day of August, 1893, under section 1145 of the Code of Virginia, and amendatory acts, No. 341; and an act to repeal the charter of the Norfolk Fire and Marine Insurance Company of Norfolk, Va., which was granted by the judge of the corporation court of the city of Norfolk, on the 25th day of May, 1893, under section 1145 of the Code of Virginia and amendatory acts, No. 342.

✓ They have passed, with amendments, Senate bills entitled an act to allow W. C. Chaney, deputy for John R. Whitehead, late treasurer of Pittsylvania county, additional time to levy for and collect tax tickets for the years 1890, 1891, 1892, and 1893, held by said Chaney, and not returned delinquent, No. 234; an act to amend and re-enact section 2625 of the Code of Virginia, in relation to ✓ how right of dower of insane wife may be passed, and how right of courtesy of insane husband may be passed, same right in purchase money to be secured to her or him, or compensation made, No. 232; and an act to allow M. S. Calhoon, treasurer of Botetourt county, further time to make settlements and return delinquents and collect tax tickets, No. 109.

✓ They have passed House bills entitled an act allowing James T. Fudge, treasurer of Alleghany county, further time to distrain, levy, and collect certain tax tickets and license taxes for which he has accounted to the State, No. 184; an act to amend and re-enact section 1347 of the Code of Virginia, in relation to application for leave to to build or raise dam across or in water course, or to cut canal, or to construct other work and apparatus for the operation of a mill,

- ✓ machine, manufactory, or engine, and where the parties making the application desire leave to carry their constructions on or through the lands of another, No. 249; an act to prescribe and regulate the procedure in trials for rape and other offences against the person of females, including appeals in rape cases, No. 266; an act to amend and re-enact section 9 of an act entitled an act to incorporate the Gladeville Railroad Company in Wise county, approved February 20, 1892, No. 269; an act in relation to unlawful detainer in the city of Alexandria, Va., No. 270; an act to regulate the issue and sale of the bonds of the town of Pulaski, No. 273; and an act in relation to the Third, Fourth, Fifth, and Sixth judicial circuits and the salaries of the judges thereof, No. 297.

In which amendments and bills they request the concurrence of the Senate.

- ✓ No. 234, Senate bill to allow W. C. Chaney, deputy for John R. Whitehead, late treasurer of Pittsylvania county, additional time to levy for and collect tax tickets for years 1890, 1891, 1892, and 1893, held by said Chaney, and not returned delinquent, was taken up, and the amendments proposed by the House of Delegates agreed to.
- ✓ No. 232, Senate bill to amend and re-enact section 2625 of the Code of Virginia in relation to how right of dower of insane wife may be passed, and how right of courtesy of insane husband may be passed, same right in purchase money to be secured to her or him or compensation made, was taken up, and the amendments proposed by the House of Delegates agreed to.
- ✓ No. 109, Senate bill entitled an act to allow M. S. Cahoon, treasurer of Botetourt county, further time to make settlements and return delinquents and collect tax tickets, was taken up, and the amendments proposed by the House of Delegates agreed to.
- ✓ No. 184, House bill entitled an act allowing Jas. T. Fudge, treasurer of Alleghany county, further time to distrain, levy, and collect certain tax tickets and license taxes for which he has accounted to the State, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 249, House bill entitled an act to amend and re-enact section 1347 of the Code of Virginia in relation to application for leave to build or raise dam across or in water course, or to cut canal, or to construct other work and apparatus for the operation of a mill, machine, manufactory, or engine, and where the parties making the application desire leave to carry their constructions on or through the lands of another, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 266, House bill entitled an act to prescribe and regulate the procedure in trials for rape and other offences against the person of females, including appeals in rape cases, was taken up, twice read, and referred to the committee for courts of justice.

- ✓ No. 269, House bill entitled an act in relation to the collection of rents in the county of Brunswick, was taken up, twice read, and on motion of Mr. KANE (the rules being suspended therefor), placed on the calendar.

The bill was subsequently taken up, read the third time, and passed with its title.

- ✓ No. 270, House bill entitled an act in relation to unlawful detainer in the city of Alexandria, was taken up, twice read, and referred to the committee for courts of justice.

- ✓ No. 273, House bill entitled an act to regulate the issue and sale of the bonds of the town of Pulaski, was taken up, twice read, and referred to the committee on county, city, and town organizations.

- ✓ No. 297, House bill entitled an act in relation to the third, fourth, fifth, and sixth judicial circuits, and the salaries of the judges thereof, was taken up, twice read, and on motion of Mr. BROWN (the rules being suspended therefor), placed on the calendar.

The bill was subsequently taken up, and Mr. JONES proposed an amendment.

- ✓ Mr. WITHERS proposed an amendment to the amendment, which was rejected by the following vote—ayes, 11; noes, 22.

AYES—Messrs. Fairfax, Hale, E. H. Jackson, G. W. Jackson, Jones, Lovenstein, Mason, McIlwaine, Turnbull, Williams, and Withers—11.

NOES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flood, Green, Hay, Keezell, LeCato, Little, Maynard, Morris, Mushbach, Sands, Southall, St. Clair, Stubbs, Tredway, and Wickham—22.

- ✓ The vote recurring upon the amendment proposed by Mr. JONES, it was also rejected by the following vote—ayes, 12; noes, 24.

AYES—Messrs. Barnes, Claytor, Hale, E. H. Jackson, G. W. Jackson, Jones, Kane, Keezell, Mason, St. Clair, Williams, and Withers—12.

NOES—Messrs. Boykin, Brown, Buchanan, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hay, Jordan, LeCato, Little, Lovenstein, Maynard, McIlwaine, Morris, Mushbach, Sands, Southall, Stubbs, Tredway, Turnbull, and Wickham—24.

- ✓ The previous question was then called upon the passage of the bill, and it was so ordered (two-thirds concurring), and the bill was read the third time and passed with its title by the following vote—ayes, 26; noes, 8.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hay, Jordan, LeCato, Little, Lovenstein, Maynard, McIlwaine, Morris, Mushbach, Sands, Southall, Stubbs, Tredway, Turnbull, Wickham, and Withers—26.

NOES—Messrs. Claytor, Hale, E. H. Jackson, Jones, Kane, Keezell, St. Clair, and Williams—8.

- ✓ On motion of Mr. MORRIS, he was ordered to inform the House of Delegates thereof.

- ✓ A message was received from the House of Delegates by Mr. McRAE, informing the Senate that that house had passed the following joint resolution :

- ✓ Be it resolved by the House of Delegates (the Senate concurring), That the public printer be and he is hereby directed to print all Acts of Assembly immediately upon their approval by the governor, and furnish two copies of each act to each member of the General Assembly so soon as each act shall be printed.

- ✓ Which was subsequently taken up and rejected.

- ✓ Mr. SANDS, from committee on general laws, reported the following substitute for Senate bill No. 113, which was ordered to be printed and referred to the committee on general laws :

No. 443, Senate bill to amend and re-enact sections 1265, 1266, 1270, 1278, 1279, and 1280 of the Code of Virginia, and to amend and re-enact section 1281 of said Code, as amended and re-enacted by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, touching the verification and publication of reports of insurance companies, approved March 4, 1890, and as amended by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, in regard to the publication of certain reports by insurance companies and associations, approved March 5, 1890, and as amended and re-enacted by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, in regard to the verification and publication of certain reports of insurance companies and associations, as amended and re-enacted by act approved March 4, 1890, and March 5, 1890, being chapter 209 and 228 of the Code of Virginia, General Assembly of Virginia, Session 1889-'90, approved February 20, 1892, and to amend and re-enact sections 1284 and 1286 of the said Code, and to add independent sections thereto in relation to insurance companies.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported with amendments,

- ✓ No. 432, Senate bill to authorize and provide for a special election in the county of Wise as to the removal of the courthouse of said county.

- ✓ He, from the same committee on county, city and town organizations, reported without amendment,

- ✓ No. 42, Senate bill to incorporate the town of Rivermont, in the county of Campbell.

He, from the same committee, reported without amendment,

- ✓ No. 246, Senate bill to authorize the city of Staunton to condemn the right of way through the grounds of the Virginia Female Institute, in said city of Staunton, for the extension of Baldwin street.

He, from the same committee, reported without amendment,

- ✓ No. 280, Senate bill to authorize the appointment of a physician to the poor for the city of Portsmouth.

He, from the same committee, reported without amendment,

- ✓ No. 281, Senate bill to authorize the Council of the city of Ports-

mouth to issue bonds for school purposes, for paving and grading streets, and for other general improvement in the fifth ward of said city.

- ✓ And he, from the same committee, reported with amendments, No. 322, Senate bill to amend section 2 of an act entitled an act to incorporate the town of Shendun, Virginia, approved February 16, 1892.

He, from the same committee, reported without amendment,

- ✓ No. 192, House bill to provide a charter incorporating the town of Eastville, in Northampton county.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

- ✓ A message was received from the House of Delegates by Mr. WILLARD, who informed the Senate that that House had passed

- ✓ No. 316½, House bill entitled an act to amend and re-enact section 3828 of the Code of Virginia, in relation to the sale of intoxicating liquors to minors and certain students; which was taken up, and referred to the committee on general laws.

Mr. HAY, by leave, presented,

- ✓ No. 444, Senate bill to enable the city of Winchester to accept the bequest of John Handley, deceased; to validate the same, and provide for the administration thereof; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), was placed on the calendar.

Mr. WICKHAM, by leave presented,

- ✓ No. 445, Senate bill to amend and re-enact section 1763 of the Code of Virginia, as amended and re-enacted by an act approved 5th March, 1894, entitled an act to amend and re-enact sections 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765 and 1766 of chapter 78 of the Code of Virginia, in relation to the practice of pharmacy, as amended by an act approved May 6, 1887, entitled an act to amend and re-enact sections 6 and 12 of an act approved March 3, 1886, entitled an act to incorporate the Virginia Pharmaceutical Association and to regulate the practice of pharmacy, and to guard the sale of poisons in the State of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. WITHERS, from committee on criminal expenses, presented

- ✓ No. 446, Senate bill to amend and re-enact sections 4071, 4074 and 4075 of the Code of Virginia, in relation to the confinement in jail and release therefrom of persons sentenced or directed by a court or justice to be confined therein in default of the payment of a fine, or fine and costs, when there is no fine, or until such fine, or fine and costs, or costs be paid, and the release from jail of persons in jail under *capias pro fine*; which was placed on the calendar and ordered to be printed.

- ✓ Mr. KEEZELL, from the committee on printing, presented

- ✓ No. 447, Senate bill to amend and re-enact section 10 of an act entitled an act to amend and re-enact section 10 of an act passed March 5, 1888, entitled an act to amend and re-enact section 10 of an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing, and to repeal chapter 185 of the Acts of Assembly of 1879 and 1880, approved February 5, 1892, and to add an independent section; which was placed on the calendar and ordered to be printed.

Mr. JONES, by leave, presented

- ✓ No. 448, Senate bill extending further time to A. O. Burks, treasurer of the city of Buena Vista, for the collection of unpaid taxes due to the Commonwealth and to said city; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. LOVENSTEIN, by leave, presented

- ✓ No. 449, Senate bill to amend and re-enact section 2849 of the Code of Virginia, so as to declare and define what bills, notes, etc., are negotiable and may be protested; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BUCHANAN, by leave, presented

- ✓ No. 450, Senate bill to establish a board of directors of the insane and insane hospitals of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. LITTLE, by leave, presented

- ✓ No. 451, Senate bill to enable the county of Stafford to replace its bonds bearing six per cent. interest with bonds bearing five per cent. interest, and to authorize the issue of said bonds bearing interest at five per cent.; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), was placed on the calendar.

Mr. JORDAN, by leave, presented

- ✓ No. 452, Senate bill to amend and re-enact section 1073 of the Code of Virginia in reference to the quantity of land to be taken by works of internal improvement; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. STUBBS, by leave, presented

- ✓ No. 453, Senate bill to authorize the Munsen Manufacturing Company to erect a wharf or wharves along its water fronts on Urbanna Creek, at Urbanna, in Middlesex county, Virginia; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. STUBBS, by leave, presented

- ✓ No. 454, Senate bill to authorize the board of supervisors of Mid-

dlesex county to increase the salary of the county judge; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), was placed on the calendar.

The special order of the day at one o'clock was taken up, and, on motion of Mr. SANDS, passed by, and made the special order for Friday, the 31st inst., at one o'clock.

✓ No. 82, Senate bill to incorporate the Peninsula Gaslight, Fuel and Power Company, was taken up, read the third time, and passed by.

✓ On motion of Mr. LITTLE, the vote by which the bill was passed by was reconsidered, and, on motion of Mr. BARNES, the bill was amended, and the amendments ordered to be engrossed in the bill.

✓ No. 359, Senate bill to incorporate the Virginia Telephone Manufacturing Company, was taken up, read the third time, and passed with its title.

✓ No. 419, Senate bill to incorporate the Herndon and Aldie Railroad Company, was taken up, read the second time, and ordered to be engrossed and read a third time.

✓ No. 32, Senate bill to prevent and punish discriminations in favor of individuals in the amount and payment of premiums charged for policies of life or endowment insurance, was taken up, read the second time, committee's recommendation agreed to, and the bill was rejected.

✓ No. 235, Senate bill for the relief of R. M. Mallory, of Brunswick county, Virginia, was taken up, read the second time, and ordered to be engrossed and read a third time.

✓ No. 360, Senate bill to relieve Marcellus Arvin, of the county of Lunenburg, from the payment of a fine imposed upon him by the county court of said county, was taken up, read the second time, and ordered to be engrossed and read a third time.

✓ No. 367, Senate bill to incorporate the Lexington and Goshen Railroad Company, was taken up, read the second time, committee's amendments agreed to, and ordered to be engrossed and read a third time.

✓ No. 396, Senate bill to amend and re-enact section 1073 of the Code of Virginia in reference to the quantity of land to be taken by works of internal improvement, was taken up, and, on motion, the bill was dismissed.

✓ No. 424, Senate bill to authorize the county school board of Nelson county to apportion the district school tax levied upon railroad and telegraph companies, was taken up, twice read, ordered to be engrossed and read a third time.

✓ No. 156, Senate bill to amend and re-enact the preamble and first section of an act entitled an act authorizing the counties of Cumberland and Powhatan to change the form of the bonds subscribed to the Farmville and Powhatan Railroad Company, was taken up, twice read, and recommitted to the committee on general laws.

✓ No. 173, Senate bill to amend and re-enact section 3515 of the Code of Virginia, in relation to fees of officers, was taken up, read the second time, committee's amendments agreed to, and ordered to be engrossed, and, on motion, of Mr. STUBBS, the vote was recorded as follows—ayes, 15; noes, 9.

AYES—Messrs. Boykin, Buchanan, Echols, Fairfax, Flanagan, Green, Hay, Jones, LeCato, Mushbach, Sands, Tredway, Turnbull, Wickham, and Withers—15.

NOES—Messrs. Brown, Clement, G. W. Jackson, Jordan, Keezell, Morris, St. Clair, Stubbs, and Williams—9.

On motion of Mr. WICKHAM, the Senate adjourned until tomorrow, at twelve o'clock.

WEDNESDAY, JANUARY 29, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates, by their clerk, which was read as follows:

In House of Delegates, January 28, 1896.

✓ The House of Delegates has passed Senate bills entitled an act to amend and re-enact section 2109 of the Code of Virginia in relation to unlawful fishing, No. 203; an act to amend and re-enact section 10 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers and condition upon which they are to be sold, and fixing the penalties incurred for violations of the same, approved February 24, 1890, as

✓ amended and re-enacted by an act entitled an act to amend and re-enact sections 2, 4, 6 and 10 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers, and the guarantee and condition upon which they are to be sold, and fixing the penalties incurred for violations of the same, approved March 9, 1894, No. 233; an act to authorize the city council of Fredericksburg to issue its coupon or registered bonds for the purpose of constructing and improving streets, and for other purposes of internal improvements and benefit to the city, No. 434; an act to incorporate the American Telautograph Company, No. 402; and an act to amend the charter of the West Norfolk and Port Norfolk Drawbridge Company, No. 229.

✓ They have agreed to the amendments of the Senate to House bills entitled an act designating the days and half holidays to be observed as legal holidays and for the payment or acceptance, and protesting of bills, notes, drafts, checks, and other negotiable paper on such days, No. 78; and an act incorporating the town of Barton Heights in Henrico county, No. 185.

✓ The House of Delegates has receded from its amendments to Senate bill entitled an act to incorporate the Danville and Riverside Railway Company, No. 128.

✓ They have passed Senate bill entitled an act to incorporate the Sabine Development Company, No. 248, with amendments.

✓ They have passed House bills entitled an act for the protection of fish in the waters of Clinch river, in Russell county, No. 250; an act to amend and re-enact section 1 of an act approved March 2, 1892, for the protection of fish in Shenandoah river, No. 251; an act to authorize the school board of Catalpa district in Culpeper county to borrow money, No. 253; an act to provide for submitting the question of liquor license to the qualified voters of the town of Floyd, in the county of Floyd, No. 282; an act to amend and re-enact an act entitled an act to prevent the erection of slaughter-houses within half of a mile of the city of Norfolk, approved March 1, 1878, No. 283; an act to amend and re-enact section 10, chapter 188, Acts of 1891-'92, entitled an act to amend and re-enact chapter 336, Acts of 1889-'90, entitled an act to amend and re-enact chapter 192, Acts of 1885-'86, entitled an act to incorporate the town of Pulaski City, No. 285; an act to amend the charter of the Citizens Bank of Norfolk, Va., No. 292; an act to authorize M. M. Lynch, substituted trustee, to convey certain property in the city of Winchester which was devised for the benefit of the Catholic Church by John Burns, deceased, No. 293; an act to amend and re-enact section 2467 of the Code of Virginia, in reference to the admission of writings to record, No. 298; an act to amend and re-enact sections 3, 4, 5 and 6 of an act approved November 24, 1884, entitled an act to incorporate the town of Boykins, in the county of Southampton, No. 301; an act to prohibit the running at large of horses, colts and hogs on the Valley turnpike in the county of Rockingham, No. 302; and an act for the protection of game in the counties of Richmond, Lancaster and Northumberland, No. 338.

In which amendments and bills they request the concurrence of the Senate.

✓ No. 248, Senate bill to incorporate the Sabine Development Company, was taken up, and the amendments proposed by the House of Delegates agreed to.

✓ No. 250, House bill entitled an act for the protection of fish in the waters of Clinch river, in Russell county, was taken up, twice read, and on motion of Mr. ST. CLAIR (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

✓ No. 251, House bill entitled an act to amend and re-enact section 1 of an act approved March 2, 1892, for the protection of fish in Shenandoah river, was taken up, twice read, and referred to the committee on fish and game.

- ✓ No. 253, House bill entitled an act to authorize the School Board of Catalpa District, in Culpeper county, to borrow money, was taken up, twice read, and on motion of Mr. HALE (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.
- ✓ No. 282, House bill entitled an act to provide for substituting the question of liquor license to the qualified voters of the town of Floyd, in the county of Floyd, was taken up, twice read, and on motion of Mr. HALE (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.
- ✓ No. 283, House bill entitled an act to amend and re-enact an act entitled an act to prevent the erection of slaughter-houses within half of a mile of the city of Norfolk, approved March 1, 1878, was taken up, twice read, and referred to the committee on county, city and town organizations.
- ✓ No. 286, House bill entitled an act to amend and re-enact section 10, chapter 188, Acts of 1891-'92, entitled an act to amend and re-enact chapter 336, Acts of 1889-'90, entitled an act to amend and re-enact chapter 192, Acts 1885-'86, entitled an act to incorporate the town of Pulaski City, was taken up, twice read, and on motion of Mr. GREEN (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.
- ✓ No. 292, House bill entitled an act to amend the charter of the Citizens Bank of Norfolk, Virginia, was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 293, House bill entitled an act to authorize M. M. Lynch, substituted trustee, to convey certain property in the city of Winchester, which was devised for the benefit of the Catholic Church by John Burns, deceased, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 298, House bill entitled an act to amend and re-enact section 2467 of the Code of Virginia, in reference to the admission of writings to record, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 301, House bill entitled an act to amend and re-enact sections 3, 4, 5 and 6 of an act approved November 24, 1884, entitled an act to incorporate the town of Boykins, in the county of Southampton, was taken up, twice read, and on motion of Mr. BOYKIN (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.
- ✓ No. 302, House bill entitled an act to prohibit the running at large of horses, colts, and hogs on the Valley Turnpike, in the

county of Rockingham, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 338, House bill entitled an act for the protection of game in the counties of Richmond, Lancaster, and Northumberland, was taken up, twice read, and on motion of Mr. MASON (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, read the third time, and and passed with its title.

Mr. SANDS, from the committee on general laws, reported as amended,

✓ No. 287, Senate bill to incorporate the Sons and Daughters of Zion of the county of Louisa.

He, from the same committee, reported without amendment,

✓ No. 320, Senate bill to change the name and extend the scope of the Old Dominion Telephone Company.

He, from the same committee, reported without amendment,

✓ No. 324, Senate bill to incorporate the Board of Trade of Martinsville for the purpose of encouraging, promoting, and regulating the sale of and trade in leaf tobacco in said town.

He, from the same committee, reported without amendment,

✓ No. 325, Senate bill to incorporate the Chatham Tobacco Association of Chatham, Va.

He, from the same committee, reported with recommendation that it do not pass,

✓ No. 390, Senate bill for the relief of W. J. Sproles.

He, from the same committee, reported without amendment,

✓ No. 189, House bill to permit the governor to furnish small arms to the Suffolk Military Academy.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment,

✓ No. 190, House bill to permit the governor to furnish small arms to the Suffolk Collegiate and Military Institute.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment,

✓ No. 207, House bill to amend and reenact section 2 of an act entitled an act to incorporate the John L. Roper Lumber Company, approved February 26, 1894.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

✓ He, from the same committee, reported without amendment,

✓ No. 316½, House bill to amend and re-enact section 3828 of the Code of Virginia in relation to the sale of intoxicating liquors to minors or certain students.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

And he, from the same committee, reported without amendment,

- ✓ No. 455, Senate bill to amend section 2 of a charter granted to the John G. Hurkamp Company on the 7th day of August, 1895, by the judge of the circuit court of Fredericksburg, in vacation, and to confirm and approve and ratify such charter as amended and all its provisions.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment,

- ✓ Joint resolution for the relief of James G. Field.
He, from the same committee, reported with amendments,
- ✓ No. 253, Senate bill requiring statements of their financial condition, mutual benefit associations or companies to the auditor of public accounts.

He, from the same committee, reported without amendment,

- ✓ No. 286, Senate bill for the relief of W. H. Ewing, treasurer of Prince Edward county.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 375, Senate bill for the relief of Fannie Grymes.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 379, Senate bill for the relief of Joseph E. Tate and John S. King, sureties of E. H. Quillen, late treasurer of Scott county.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 387, Senate bill for the relief of J. E. Flanery, of Scott county, Va.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 389, Senate bill for the relief of Sterling Willis, of Scott county, Va.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 439, Senate bill for the deposit of State funds in certain cases

He, from the same committee, reported without amendment,

- ✓ No. 133, House bill for the relief of Mrs. Eliza B. Burch, of Petersburg, Va.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment.

- ✓ No. 165, House bill for the relief of E. T. Daniel, treasurer of Charlotte county, Va.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

And he, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 228, House bill for the relief of C. B. Beamer, S. J. Fisher, M. Goldberg, Ella Morgan, L. Shere, J. W. Richardson, and I. Greenspon, to refund a portion of the tax paid by them for liquo

✓ licenses for the year commencing May 1, 1895, and expiring April 30, 1896.

The bill was subsequently taken up, read the third time, and rejected by the following vote—ayes, 17; noes, 17.

AYES—Messrs. Boykin, Echols, Flanagan, Green, Hale, E. H. Jackson, G. W. Jackson, Kane, Keezell, LeCato, Lowry, Mason, McIlwaine, Snead, Southall, St. Clair, and Williams—17.

NOES—Messrs. Barnes, Claytor, Clement, Fairfax, Hay, Jones, Jordan, Little, Lovenstein, Morris, Mushbach, Sands, Stubbs, Tredway, Turnbull, Wickham, and Withers—17.

✓ On motion of Mr. CLAYTOR, the vote by which the bill was rejected was reconsidered. Mr. ECHOLS moved to pass by the motion to reconsider, on which a recorded vote was ordered, and resulted as follows—ayes, 16; noes, 18.

AYES—Messrs. Claytor, Echols, Flanagan, Green, Hale, E. H. Jackson, G. W. Jackson, Kane, Keezell, LeCato, Mason, Maynard, McIlwaine, Snead, St. Clair, and Williams—16.

NOES—Messrs. Barnes, Boykin, Clement, Fairfax, Hay, Jones, Jordan, Little, Lovenstein, Morris, Mushbach, Sands, Southall, Stubbs, Tredway, Turnbull, Wickham, and Withers—18.

✓ On motion of Mr. McILWAINE, the special order of the day was called for. Mr. WICKHAM moved to pass by for five minutes, on which a recorded vote was ordered, and resulted as follows—ayes, 21; noes, 13.

AYES—Messrs. Barnes, Boykin, Clement, Echols, Fairfax, Hay, Jones, Jordan, Keezell, LeCato, Little, Lovenstein, Morris, Mushbach, Sands, Southall, Stubbs, Tredway, Turnbull, Wickham, and Withers—21.

NOES—Messrs. Claytor, Flanagan, Green, Hale, E. H. Jackson, G. W. Jackson, Kane, Mason, Maynard, McIlwaine, Snead, St. Clair, and Williams—13.

✓ On motion of Mr. WICKHAM, the pending question was ordered, and on his motion a recorded vote was ordered, with the following result—ayes, 21; noes, 12.

AYES—Messrs. Barnes, Boykin, Clement, Echols, Fairfax, Green, Hay, Jones, Jordan, Keezell, LeCato, Little, Lovenstein, Morris, Mushbach, Sands, Stubbs, Tredway, Turnbull, Wickham, and Withers—21.

NOES—Messrs. Claytor, Flanagan, Hale, E. H. Jackson, G. W. Jackson, Kane, Mason, Maynard, McIlwaine, Snead, St. Clair, and Williams—12.

✓ The vote was then taken on the motion to reconsider the vote, and resulted as follows—ayes, 16; noes, 19, and the bill rejected.

AYES—Messrs. Claytor, Echols, Flanagan, Green, Hale, E. H. Jackson, G. W. Jackson, Kane, Keezell, LeCato, Mason, Maynard, McIlwaine, Snead, St. Clair, and Williams—16.

NOES—Messrs. Barnes, Boykin, Buchanan, Clement, Fairfax, Hay, Jones, Jordan, Little, Lovenstein, Morris, Mushbach, Sands, Southall, Stubbs, Tredway, Turnbull, Wickham, and Withers—19.

Mr. ECHOLS, from the committee on roads and internal navigation, reported without amendments,

✓ No. 452, Senate bill to amend and re-enact section 1073 of the Code of Virginia, in reference to the quantity of land to be taken by works of internal improvements.

✓ No. 82, Senate bill to incorporate the Peninsula Gas Light, Fuel and Power Company, was taken up, read the third time, and passed with its title.

✓ No. 419, Senate bill to incorporate the Herndon and Aldie Railroad Company, was taken up, read the third time, and passed with its title.

✓ No. 235, Senate bill for the relief of R. M. Mallory, of Brunswick county, Virginia, was taken up, read the third time, and passed with its title—ayes, 25; noes, 1.

AYES—Messrs. Boykin, Buchanan, Clement, Echols, Fairfax, Green, Hale, Hay, Jones, Jordan, Kane, Keezell, LeCato, Little, Lowry, Mason, McIlwaine, Morris, Mushbach, Snead, St. Clair, Tredway, Turnbull, Wickham, and Williams—25.

NOES—Mr. Withers—1.

✓ No. 360, Senate bill to relieve Marcellus Arvin, of the county of Lunenburg, from the payment of a fine imposed upon him by the county court of said county, was taken up, read the third time, and passed with its title—ayes, 26; noes, 1.

AYES—Messrs. Boykin, Buchanan, Clement, Echols, Fairfax, Flanagan, Green, Hale, Hay, G. W. Jackson, Jones, Jordan, LeCato, Little, Lowry, Mason, McIlwaine, Morris, Mushbach, Sands, Snead, St. Clair, Tredway, Turnbull, Wickham, and Williams—26.

NOES—Mr. Withers—1.

✓ No. 367, Senate bill to incorporate the Lexington and Goshen Railroad Company, was taken up, read the third time, and passed with its title.

✓ No. 424, Senate bill to authorize the county school board of Nelson county to apportion the district school tax levied upon railroad and telegraph companies, was taken up, read the third time, and passed with its title.

✓ No. 173, Senate bill to amend and re-enact section 3515 of the Code of Virginia, in relation to the fees of officers, was taken up, read the third time, and passed with its title.

Mr. LITTLE, by leave, presented

✓ No. 455, Senate bill to amend section 2 of a charter granted to

the John G. Hurkamp Company on the 7th day of August, 1895, by the judge of the circuit court of Fredericksburg in vacation, and to confirm and approve and ratify such charter as amended and all its provisions; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. HAY, by leave, presented

✓ No. 456, Senate bill entitled an act to allow the joint library committee and the general librarian of the Commonwealth to permit the transfer of duplicate volumes in the State Library to the library of the University of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on library, etc.

Mr. ST. CLAIR, by leave, presented

✓ No. 457, Senate bill to amend and re-enact section 7 of chapter 3 of an act entitled an act to provide a new charter for the town of Graham, in the county of Tazewell, approved February 29, 1892; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. ST. CLAIR, by leave, presented

✓ No. 458, Senate bill to authorize the trustees of Tazewell High School to sell and convey any property held by them to the trustees of the Jeffersonville district free school board, to be held by the latter for free school purposes; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. HALE, by leave, presented

✓ No. 459, Senate bill to amend and re-enact section 23 of an act entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is required, approved March 6, 1890; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MAYNARD, by leave, presented

✓ No. 460, Senate bill to amend and re-enact sections 5 and 20 of an act entitled an act to incorporate the town of Berkley, in the county of Norfolk, approved March 3, 1890; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. KEEZELL (by request), by leave, presented

✓ No. 461, Senate bill to incorporate the Church Erection and Missionary Board of the German Baptist Church for the second district

of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 462, Senate bill making an additional annual appropriation to the Confederate Soldiers' Home; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MORRIS, by leave, presented

- ✓ No. 463, Senate bill to incorporate the Sabine Development Company; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. STUBBS, by leave, presented

- ✓ No. 464, Senate bill to prescribe the times for holding the circuit courts in the ninth judicial circuit, which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. KEEZELL, by leave, presented

- ✓ No. 465, Senate bill to promote oyster culture in Chesapeake Bay, which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. KEEZELL, by leave, presented

- ✓ No. 466, Senate bill to encourage the oyster industry of the Commonwealth; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

- ✓ A message was received from the House of Delegates by Mr. HARRISON, who informed the Senate that that house had agreed to the following joint resolution:

Whereas, a vacancy exists in the commission created by the joint resolution of the General Assembly, entitled "a joint resolution to provide for adjusting with the State of West Virginia the proportion of the debt of the original State of Virginia proper to be borne by West Virginia, for the application of whatever may be received from West Virginia to the payment of those found entitled to the same, approved March 6, 1894," by reason of the death during the present session of this General Assembly of the Hon. Taylor Berry, formerly chairman of the committee on finance and banks of the Senate of Virginia, and there is no specific mode prescribed in said resolution for filling said vacancy; therefore, be it

- ✓ Resolved by the House of Delegates of Virginia (the Senate concurring), That the vacancy so occasioned be filled by the election by the Senate of Virginia of one of the members of that body to the position so made vacant by the death of the Hon. Taylor Berry.

Which, on motion of Mr. WICKHAM, was agreed to; and on his further motion, he was ordered to inform the House of Delegates thereof.

Mr. WICKHAM, by leave, presented

- ✓ The report of the joint committee to adjust the public debt with

✓ the State of West Virginia; which, on his motion, was laid on the table and ordered to be printed as Doc. No. 10.

The special order of the day,

✓ No. 144, Senate bill to amend and re-enact section 18 of chapter 1 of an act entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixtures thereof, in cases where a court certificate is required, approved March 6, 1890, in reference to taxing insurance companies, was taken up, read the third time, and passed with its title—ayes, 22; noes, 11.

AYES—Messrs. Barnes, Boykin, Buchanan, Clement, Fairfax, Flanagan, Hale, Jones, Jordan, Kane, Lovenstein, Mason, Maynard, McIlwaine, Morris, Mushbach, Sands, St. Clair, Turnbull, Wickham, Williams, and Withers—22.

NOES—Messrs. Echols, Flood, Green, Hay, E. H. Jackson, G. W. Jackson, Keezell, LeCato, Little, Southall, and Stubbs—11.

The following Senate bills were taken up and read the second time, and ordered to be engrossed and read a third time:

✓ No. 382, To amend and re-enact section 2197 of the Code of Virginia, 1887, relating to burial of hogs that die from disease.

✓ No. 437, Senate bill to authorize the collector of city taxes and levies for the city of Fredericksburg to furnish a list of real estate delinquent for the non-payment of such taxes to the city treasurer for sale for such taxes, and to authorize such collector to otherwise enforce the collection of city taxes and levies in the same manner as the collection of State taxes is enforced by the treasurer of said city.

✓ No. 442, Senate bill to extend the time for commencing and completing the construction of the Saltville and Mendota railroad, and to legalize the payment made by said railroad company of the fee required by law.

✓ No. 354, Senate bill to amend and re-enact section 8 of an act entitled an act to incorporate the Ohio River and Charleston Railroad Company as the successor of the Charleston, Cincinnati and Chicago Railroad Company, approved February 12, 1894.

✓ No. 42, Senate bill to incorporate the town of Rivermont, in the county of Campbell.

✓ No. 246, Senate bill to authorize the city of Staunton to condemn the right of way through the grounds of the Virginia Female Institute, in said city of Staunton, for the extension of Baldwin street.

✓ No. 322, Senate bill to amend section 2 of an act entitled an act to incorporate the town of Shendun, Virginia, approved February 16, 1892.

✓ No. 454, Senate bill to authorize the board of supervisors of Middlesex county to increase the salary of the county judge.

- ✓ No. 299, Senate bill to incorporate the town of Saltville, and to repeal an act entitled an act to incorporate the town of Saltville, approved March 8, 1894, was taken up, twice read, and committee's amendments agreed to, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. BUCHANAN (two-thirds concurring), was read the third time, and passed with its title.
 - ✓ No. 384, Senate bill to authorize the Big Stone Gap Iron Company to build railroads to its mines, was taken up, twice read, committee's amendments agreed to, and ordered to be engrossed and read a third time.
 - ✓ No. 280, Senate bill to authorize the appointment of a physician to the poor for the city of Portsmouth, was taken up, twice read, and on motion of Mr. MAYNARD, ordered to be dismissed.
 - ✓ No. 281, To authorize the council of the city of Portsmouth to issue bonds for school purposes, for paving and grading streets, and for other general improvements in the Fifth ward of said city, was taken up, twice read, and on motion of Mr. MAYNARD, ordered to be dismissed.
 - ✓ No. 383, Senate bill to amend and re-enact section 9 of an act entitled an act to incorporate the Gladeville Railroad Company, in Wise county, approved February 20, 1892, was taken up, twice read, and on motion of Mr. KANE, indefinitely postponed.
 - ✓ No. 432, Senate bill to authorize and provide for a special election in the county of Wise as to the removal of the courthouse of said county, was taken up, twice read, committee's amendments agreed to, and on motion of Mr. KANE, the bill was further amended and ordered to be engrossed and read a third time.
- A message was received from the governor by his private secretary, informing the Senate that he had vetoed Senate bill No. 193.
- On motion of Mr. JONES, the message was laid on the table temporarily.
- On motion of Mr. WICKHAM, the Senate adjourned until tomorrow, twelve o'clock.

THURSDAY, JANUARY 30, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Geo. C. Abbitt.

Journal of yesterday read by the clerk.

A communication from the House of Delegates, received by their clerk, which was read as follows:

In House of Delegates, January 29, 1896.

- ✓ The House of Delegates passed with amendments Senate bills en-

✓ titled an act to incorporate the United Land and Investment Company, No. 95; an act to incorporate the Virginian Securities Company, No. 181; and an act to amend sections 3501 and 3502 of the Code of Virginia, in relation to fees of commissioners in chancery, No. 214.

✓ They have passed House bills entitled an act to allow J. Winton Repass and his deputies further time to collect tax tickets now in their hands, No. 255; an act to refund to Gilbert J. Hunt the sum of fourteen dollars and thirty-five cents, erroneously paid by him on church property in the city Richmond, No. 256; an act to allow V. B. Gilmer, treasurer of Russell county, further time for collecting uncollected taxes in Russell county, No. 258; an act to allow E. W. Maxwell, treasurer of Wise county, and his deputies, power of levy and distress to collect certain uncollected tax tickets now in his hands, No. 259; an act to amend and re-enact chapter 443 of the Acts of Assembly of 1891-1892, page 740, entitled an act to compensate school trustees other than clerks, in the counties of Campbell, Appomattox, Buckingham, approved February 29, 1892, so as to include the county of Cumberland, No. 262; an act to amend and re-enact section 3810 of the Code of Virginia, entitled appointment of police for religious meetings, No. 265; an act to amend chapter 192, Acts 1893-'94, entitled an act for the protection of certain game in Roanoke county, No. 268; an act to confirm and ratify the action of the councils of the city of Norfolk in closing up and relinquishing title to a part of the so-called Duke street canal, No. 271; an act to authorize the trustees of the parsonage of the Methodist Episcopal church, South, at Clintwood, Dickenson county, Va., to sell and convey the same, and to invest the proceeds arising therefrom in other parsonage property, No. 274; an act to amend and re enact session 4144 of the Code of Virginia, entitled record to be kept of conduct of convicts; to have credit for good conduct, No. 275; an act in relation to the collection of rents in the county of Brunswick, No. 276; and an act to amend and re-enact section 1220 of the Code of 1887, in relation to fines imposed upon express companies, No. 277.

✓ In which amendments and bills they request the concurrence of the Senate.

✓ No. 95, Senate bill to incorporate the United Land and Improvement Company, was taken up, and the amendments proposed by the House of Delegates agreed to.

✓ No. 181, Senate bill to incorporate the Virginian Securities Company, was taken up, and the amendments proposed by the House of Delegates agreed to.

✓ No. 14, Senate bill to amend sections 3501 and 3502 of the Code of Virginia, in relation to fees of commissioners in chancery, was taken up, and with the amendments proposed by the House of Delegates, referred to the committee for courts of justice.

A message of the governor vetoing Senate bill No. 193, was taken up, and on motion of Mr. MAYNARD, laid on the table and ordered to be printed.

GOVERNOR'S OFFICE,
RICHMOND, VA., January 29, 1896.

To the General Assembly of Virginia :

Senate bill No. 193 entitled "An act to amend and re-enact the third section of an act approved February 3, 1888, entitled an act to incorporate the Berkley Street Railway Company, has been carefully considered by me, and I regret to be compelled to return it without my approval.

Section 3 of the original act is as follows :

"It shall be lawful for said company to transport passengers, freight and baggage over the line of said railroad and to collect fare and tolls for the same ; and may use horse, steam, or electric power to propel the cars of said road." See Acts 1887-8, page 85.

The present bill proposes to amend this section by adding the following words : "And said company shall have the further power and authority to establish and maintain in the said village of Berkley or in Washington Magisterial District, Norfolk county, one or more plants for the purpose of furnishing electric light, heat, power and traction to the public, and to private individuals and corporations, and may manufacture and furnish light for public and private use by electricity, gas or other means of illumination ; and it shall be lawful for said company to dispose of its electricity or gas at such rates as may be agreed upon by the parties ; but as far as the said company shall use the streets of said village or the roads of said Washington Magisterial District for the purpose of erecting and maintaining thereon poles, wires and necessary fixtures, or placing thereunder pipes or conduits for the proper conduct of the business mentioned in this section, such use shall be made of said streets or roads without detriment to the public use thereof, and subject to the consent of the municipal authorities of said village or the county court of said county respectively."

These provisions are, in my opinion, subject to the following objections :

First. This company is chartered as a railroad company only. The title of the original act indicated its purpose, and if the title had authorized it to operate electric and gas plants for the benefit of the public, individuals or corporations, it would have been repugnant to the Constitutional provision which declares that "No law shall embrace more than one object, which shall be expressed in its title ;" and if these two objects could not have been united in the original bill, it cannot be done by amendment. The business of a railroad company is one thing and that of a gas or electric heat, light, power and traction company another ; the two enterprises is incongruous ; one is not in any manner incidental to the other ; they cannot be blended in the same act.

If a railroad company can, either in its original charter or by amendment, be authorized to engage in the business of furnishing gas, electric heat, light or power to the public or to individuals or corporations, why could it not be authorized to engage in the selling of coal, lumber, the operation of planing-mills, and the construction of houses, &c. Why not spread over the entire field of business enterprise ?

Second. It is provided that the streets of the town of Berkley and the roads in Washington Magisterial District, in Norfolk county, may be used for the purpose of erecting and maintaining poles, wires and necessary fixtures or placing thereunder pipes or conduits for the conduct of the business of furnishing gas, electricity, heat, light, &c., to the public, to individuals or corporations, subject to the consent of the municipal authorities of said town, or the county court of said county respectively.

In a recent message in returning without my approval a bill entitled "An act to incorporate Basic City, Bridgewater and Piedmont Railway Company," I discussed briefly the principle which I think is violated by the provision just recited, and said "by condemnation a county acquires only and solely the right to use the land as a county road—the easement as it is called ; the freehold remains in the land owners. The county can use it for no other purpose, nor can it transfer its easement. Besides the laying of a railroad track upon the bed of a county road con-

stitutes an additional servitude for which the land owners would be entitled to compensation, and the section contains no provision requiring the consent of the land owners, nor does it provide for compensation to them, and thereby 'violates the constitutional intention when taking private property for public use without compensation.' Citing *Western Union Telegraph Co. vs. Williams*, 86 Va., page 696, in which the Court held that an act (Sections 1287-1290 Code) authorizing the construction of telegraph lines along any public road, if the use of the highway be not obstructed, without providing any compensation to the land owners, is unconstitutional. The erection of telegraph poles and wires constituting servitude on the land. If the erection of telegraph poles and wires constitutes an additional servitude on the land, certainly the erection of electric poles and wires or the laying of pipes and conduits constitute an additional servitude. If the doing of one entitles the land owners to compensation, surely the doing of the other does. If the failure of the act (Sections 1287-1290) to provide compensation to the land owners rendered that act unconstitutional, the failure of this bill to so provide, certainly renders it unconstitutional.

"Where an easement in land is acquired under the power of eminent domain for a particular use, it cannot be devoted to another inconsistent use, without due compensation to the owner." See *Wood on Railroads*, Vol. 1, p. 770; also pages 794, 798. The fact that the consent of the municipal authorities or county court respectively shall be obtained, does not affect the question, for the consent of neither can give the railroad company the right to exercise an unconstitutional power.

These are my objections to this bill briefly stated. Before concluding, I trust I may be pardoned when I respectfully call attention to the growing tendency to embrace different objects in a bill. Much adroitness is frequently displayed in making the powers conferred apparently incidental to each other. Writers on statutory law lay great stress upon the importance of guarding against the bringing together into one bill subjects diverse in their nature and having no necessary connection—incongruous matters and objects bearing no relation to each other.

CHARLES T. O'FERRALL, *Governor*.

On motion of Mr. ECHOLS, the committee on roads and internal navigation, to which was referred the governor's message vetoing Senate bill No. 81, was agreed to, and the committee discharged from its further consideration; and on his further motion, the message and bill was at once taken up, and the Chair put the question, "Shall the bill pass notwithstanding the governor's veto?" which was decided as follows—ayes, 1; noes, 32.

AYES—Mr. Claytor,

NOES—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Fairfax, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lowry, Mason, Maynard, Mushbach, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Williams, and Withers—32.

And the veto was sustained.

Mr. JORDAN, from the committee on agriculture, mining and manufacturing, reported without amendment.

No. 422, Senate bill to amend and re-enact sections 2 and 10 of an act entitled an act to protect sheep and other stock in the counties of Accomac and Northampton, approved February 7th, 1894.

Mr. LITTLE, for Mr. FLOOD, from the committee on fish and game, reported with amendments,

No. 115, House bill to prevent the extermination of game in the

counties of Orange, Culpeper, Louisa, Spottsylvania, King George, and Stafford, and the protection of the same.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment,

- ✓ No. 163, House bill authorizing inspectors of oysters to assign to the owners, managers, or lessees of hotels grounds under the water for bathing grounds.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment,

- ✓ No. 239, Senate bill to amend and re-enact section 2164 of the Code of Virginia in reference to when license to dredge oysters granted to residents, application therefor as amended and re-enacted by an act approved March 5, 1894.

He, from the same committee, reported without amendment,

- ✓ No. 356, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 2088 of the Code of Virginia in relation to hauling seines or setting traps in the waters of Accomac and Northampton counties, approved March 3d, 1892.

He, from the same committee, reported without amendment,

- ✓ No. 357, Senate bill to amend and re-enact section 10 of chapter 743, Acts of Assembly 1893-1894, with reference to the unlawful taking or catching of crabs.

He, from the same committee, reported without amendment,

- ✓ No. 358, Senate bill to amend and re-enact an act entitled an act to regulate and protect the crabbing industry, and to prohibit non-residents from catching crabs in the waters of Virginia, approved March 7th, 1894; and to repeal an act entitled an act to protect the crab industry of the Commonwealth, approved May 12th, 1887.

He, from the same committee, reported with a substitute,

- ✓ No. 84, Senate bill to have the boundaries of certain natural oyster-beds, rocks and shoals, in Mathews county surveyed and plats made of the same.

He, from the same committee, reported with amendments,

- ✓ No. 215, Senate bill to amend and re enact an act entitled an act for the protection of certain game in the county of Roanoke.

And he, from the same committee, reported with a substitute,

No. 188, Senate bill to create a fish commission, define the duties and fix the salaries of its members.

- ✓ No. 255, House bill entitled an act to allow J. Winston Repass and his deputies further time to collect tax tickets now in their hands, was taken up, twice read, and referred to the committee on finance and banks.

- ✓ No. 256, House bill entitled an act to refund to Gilbert J. Hunt the sum of fourteen dollars and thirty-five cents, erroneously paid by him on church property in the city of Richmond, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 258, House bill entitled an act to allow V. B. Gilmer, treasurer of Russell county further time for collecting uncollected taxes in Russell county, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 259, House bill entitled an act to allow E. W. Maxwell, treasurer of Wise county, and his deputies, power of levy and distress to collect certain uncollected tax tickets now in his hands, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 262, House bill entitled an act to amend and re-enact chapter 443 of the Acts of Assembly of 1891-1892, page 740, entitled an act to compensate school trustees, other than clerks, in the counties of Campbell, Appomattox, and Buckingham, approved February 29, 1892, so as to include the county of Cumberland, was taken up, twice read, and referred to the committee on public institutions and education.

✓ No. 265, House bill entitled an act to amend and re-enact section 3810 of the Code of Virginia, entitled appointment of police for religious meetings, was taken up, twice read, and referred to the committee on general laws.

✓ No. 268, House bill entitled an act to amend chapter 192, Acts 1893-'94, entitled an act for the protection of certain game in Roanoke county, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 271, House bill entitled an act to confirm and ratify the action of the councils of the city of Norfolk in closing up and relinquishing title to a part of the so-called Duke street canal, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 274, House bill entitled an act to authorize the trustees of the parsonage of the Methodist Episcopal Church, South, at Clintwood, Dickenson county, Virginia, to sell and convey the same, and invest the proceeds arising therefrom in other parsonage property, was taken up, twice read, and, on motion of Mr. ST. CLAIR (the rules being suspended therefor), was placed on the calendar; on his further motion (two-thirds concurring), read the third time and passed with its title.

✓ No. 275, House bill entitled an act to amend and re-enact section 4144 of the Code of Virginia, entitled record to be kept of conduct of convicts; to have credit for good conduct; was taken up, twice read, and referred to the committee on public institutions and education.

✓ No. 276, House bill entitled an act in relation to the collection of rents in the county of Brunswick, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 277, House bill entitled an act to amend section 1220 of the Code of 1887 in relation to fines imposed upon express companies,

was taken up, twice read, and referred to the committee on general laws.

Mr. BROWN (by request), presented

- ✓ No. 467, Senate bill to incorporate the American Milk Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MUSHBACH, by leave, presented

- ✓ No. 468, Senate bill appropriating three thousand dollars to "The Anne Lee Memorial Association"; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. WITHERS, by leave, presented

- ✓ No. 469, Senate bill for the relief of B. M. Clement, late deputy treasurer of Pittsylvania county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. ST. CLAIR, by leave, presented

- ✓ No. 470, Senate bill to fix the price at which the Code of 1887 shall be sold; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. JONES, by leave, presented

- ✓ No. 471, Senate bill to regulate and promote the oyster industry of the Commonwealth, and to raise revenue therefrom by providing for the collection of all fees, fines, taxes, rents and all other moneys arising, created, or accruing under any of the laws of the Commonwealth in relation to such industry, and to abolish the office of inspector of oysters; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. JONES, by leave, presented

- ✓ No. 472, Senate bill to prohibit taking, catching, or collecting oysters, shells, or shell fish between sunset and sunrise; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. JONES, by leave, presented

- ✓ No. 473, Senate bill to prohibit seed oysters caught upon the natural rock beds or shoals in this Commonwealth from being carried out of the State; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. JONES, by leave, presented

- ✓ No. 474, Senate bill for the protection of county surveyors when in the discharge of duties imposed upon them by law; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. JONES, by leave, presented

- ✓ No. 475, Senate bill to authorize and empower county courts to

direct the surveyors of their respective counties to designate and survey harbors for owners or renters of oyster grounds; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. SNEAD, by leave, presented

- ✓ No. 476, Senate bill to define a lawful fence for the county of Princess Anne; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. SANDS, by leave, presented

- ✓ No. 477, Senate bill to amend and re-enact section 3153 of the Code of Virginia in reference to juries in civil cases; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MAYNARD, by leave, presented

- ✓ No. 478, Senate bill to incorporate the Norfolk and Newport News Ferry Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. FAIRFAX, by leave, presented

- ✓ No. 479, Senate bill to constitute the town of Leesburg and adjoining territory a separate school district, and to authorize the council of said town to appoint or elect the school trustees of said district; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. LITTLE, by leave, presented

- ✓ No. 480, Senate bill to authorize the common council of the city of Fredericksburg to execute and deliver the bonds of said city for ten thousand dollars to the Assembly Home and School at Fredericksburg, Va., and to authorize that corporation, in consideration thereof, to provide instruction to certain pupils of the free schools of said city; which, on his motion was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. LOVENSTEIN, by leave, presented

- ✓ No. 481, Senate bill to amend and re-enact the 5th subdivision of section 1, section 3, section 4, section 5, section 6 of an act of the General Assembly of Virginia, approved February 22, 1894, entitled an act to regulate the practice of medicine and surgery in the State of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.
- ✓ No. 382, Senate bill to amend and re-enact section 2197 of Code of Virginia, 1887, relating to burial of hogs and fowls that die from disease, was taken up, read the third time, and passed with its title.
- ✓ No. 437, Senate bill to authorize the collector of city taxes and levies for the city of Fredericksburg to furnish a list of real estate delinquent for the non-payment of such taxes to the city treasurer,

for sale for such taxes, and to authorize such collector to otherwise enforce the collection of city taxes and levies in the same manner as the collection of State taxes is enforced by the treasurer of said city, was taken up, read the third time, and passed with its title.

✓ No. 442, Senate bill to extend the time for commencing and completing the construction of the Saltville and Mendota Railroad Company, and to legalize the payment made by said railroad company of the fee required by law, was taken up, read the third time, and passed with its title.

✓ No. 384, Senate bill to authorize the Big Stone Gap Iron Company to build railroads to its mines, was taken up, read the third time, and passed with its title.

✓ No. 354, Senate bill to amend and re-enact section 8 of an act to incorporate the Ohio River and Charleston Railroad Company as the successor of the Charleston, Cincinnati and Chicago Railroad Company, approved February 12, 1894, was taken up, read the third time, and passed with its title.

✓ No. 42, Senate bill to incorporate the town of Rivermont, in the county of Campbell, was taken up, read the third time, and passed with its title.

✓ No. 246, Senate bill to authorize the city of Staunton to condemn the right of way through the grounds of the Virginia Female Institute, in said city of Staunton, for the extension of Baldwin street, was taken up, read the third time, and passed with its title.

✓ No. 322, Senate bill to amend section 2 of an act entitled an act to incorporate the town of Shendun, Virginia, approved February 16, 1892, was taken up, read the third time, and passed with its title.

✓ No. 432, Senate bill to authorize and provide for a special election in the county of Wise as to the removal of the courthouse of said county, was taken up, read the third time, and passed with its title.

✓ No. 454, Senate bill to authorize the board of supervisors of Middlesex county to increase the salary of the county judge, was taken up, read the third time, and passed with its title.

✓ No. 444, Senate bill to enable the city of Winchester to accept the bequest of John Handley, deceased; to validate the same, and provide for the administration thereof, was taken up, read the second time, and ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. FLOON (two-thirds concurring), read the third time, and passed with its title.

✓ No. 149, Senate bill to amend and re-enact section 3680 of the Code of Virginia in reference to rape and its punishment, was taken up, read the second time, committee's amendments agreed to, and ordered to be engrossed and read a third time.

✓ No. 451, Senate bill to enable the county of Stafford to replace its bonds bearing six per cent. interest with bonds bearing five per cent. interest, and to authorize the issue of said bonds bearing in-

terest at five per cent., was taken up, read the second time, and ordered to be engrossed and read a third time.

- ✓ No. 452, Senate bill to amend and re-enact section 1073 of the Code of Virginia in reference to the quantity of land to be taken by works of internal improvement, was taken up, read the second time, and ordered to be engrossed and read a third time.

- ✓ No. 320, Senate bill to change the name and extend the scope of the Old Dominion Telephone Company, was taken up, read the second time, and ordered to be engrossed and read the third time.

- ✓ No. 325, Senate bill to incorporate the Chatham Tobacco Association of Chatham, Va., was taken up, read the second time, and ordered to be engrossed and read a third time, and being forthwith engrossed, was, on motion (two-thirds concurring), read the third time and passed with its title.

- ✓ No. 390, Senate bill for the relief of W. J. Sproles, was taken up, and on motion of Mr. KANE, was referred to the committee on general laws.

- ✓ No. 287, Senate bill to incorporate the Sons and Daughters of Zion of the county of Louisa, was taken up, read the second time, and ordered to be engrossed and read a third time.

- ✓ No. 324, Senate bill to incorporate the Board of Trade of Martinsville for the purpose of encouraging, promoting, and regulating the sale of and trade in leaf tobacco in said town, was taken up, read the second time, and ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. TREDWAY (two-thirds concurring), was read the third time and passed with its title.

- ✓ No. 389, Senate bill for the relief of Sterling Willis, of Scott county, Va., was taken up, read the second time, and on motion of Mr. TURNBULL, the bill was amended, which was agreed to, and as amended ordered to be engrossed and read a third time.

- ✓ No. 439, Senate bill for the deposit of State funds in certain cases, reported with a recommendation that it do not pass, was taken up, read the second time, committee's recommendation agreed to, and the bill rejected.

- ✓ No. 443, Senate bill substitute from the committee on general laws, for the substitute No. 113 to Senate bill No. 113, and the bill to amend and re-enact sections 1265, 1266, 1270, 1278, 1279, and 1280 of the Code of Virginia, and to amend and re-enact section 1281 of said Code, as amended and re-enacted by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, touching the verification and publication of reports of insurance companies, approved March 4, 1890, and as amended by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, in regard to the publication of certain reports by insurance companies and associations, approved March 5, 1890, and as amended and re-enacted by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, in regard

✓ to the verification and publication of certain reports of insurance companies and associations, as amended and re-enacted by acts approved March 4, 1890, and March 5, 1890, being chapters 209 and 228 of the Acts of the General Assembly of Virginia, Session 1889-'90, approved February 20, 1892, and to amend and re-enact sections 1284 and 1286 of the said Code, and to add independent sections thereto in relation to insurance companies, was taken up, and on motion of Mr. ECHOLS, made the special order for Monday, February 3, at one 'clock.

✓ No. 375, Senate bill for the relief of Fannie Grymes, was taken up, read the second time, and ordered to be engrossed and read a third time by the following recorded vote—ayes, 16; noes, 16, and the PRESIDENT cast his vote in the affirmative (aye):

AYES—Messrs. Boykin, Brown, Claytor, Green, Hale, E. H. Jackson, G. W. Jackson, Kane, LeCato, Little, Mason, Sands, Southall, St. Clair, Stubbs, and Williams—16.

NOES—Messrs. Buchanan, Clement, Fairfax, Flood, Hay, Jones, Jordan, Keezell, Lovenstein, Lowry, Maynard, Morris, Tredway, Turnbull, Wickham, and Withers—16.

— No. 452, Senate bill in reference to the quantity of land that may be taken by works of internal improvement was under consideration at the time of adjournment.

On motion of Mr. LOVENSTEIN, the Senate adjourned until tomorrow at twelve o'clock.

FRIDAY, JANUARY 31, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Geo. C. Abbitt.

Journal of yesterday read by the clerk.

A communication was received from the House of Delegates by their clerk, which was read as follows:

In House of Delegates, January 30, 1896.

✓ The House of Delegates has passed Senate bills entitled an act to amend section 8 of an act to establish a corporation court for the city of Bristol, in Washington county, as heretofore amended, No. 266; and an act to amend and re-enact section 6 of the charter of the city of Williamsburg, and to authorize the common council to issue bonds for the sum of thirty-five hundred dollars for the purpose of erecting and furnishing a school building for white children of said city, No. 145.

✓ They have agreed to the amendment of the Senate to House bill

✓ entitled an act to amend and re-enact section 4093 of the Code in relation to recognizances, No. 122.

✓ They have dismissed Senate bill entitled an act for the relief of Chas. M. Jordan, of Halifax county, No. 349.

✓ They have passed with amendment Senate bill entitled an act to incorporate the Portsmouth and Pinner's Point Drawbridge Company, No. 167.

✓ They have passed House bills entitled an act to amend the charter of the town of Richlands, No. 278; an act in reference to compensation of supervisors of Lee county, Va., No. 279; an act to repeal section 1916 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 1916 of the Code in relation to the duties of the sealer of weights and measures, approved February 9, 1892, No. 281; an act to give Claudius Humphries, late deputy treasurer of Lancaster county, power of levy and distress to collect certain uncollected tax tickets in his hands, No. 288; an act to extend the time for collecting taxes in Roanoke city and Roanoke county, No. 289; an act to legalize the charter of the Eureka Power and Manufacturing Company, approved March 5, 1894, and all acts of said company under said charter, No. 290; an act for the relief of J. C. Haynes, No. 291; an act to amend and re-enact section 4 of an act entitled an act to establish an additional court for the city of Norfolk, and to define its jurisdiction, No. 294; an act to punish as for a misdemeanor a person using abusive language to another, No. 296; an act to amend and re-enact section 87 of the charter of the city of Richmond, as amended by an act approved February 25, 1892, entitled an act to amend and re enact sections 15, 23, 87, and 94, and subdivisions 5 and 6 of section 19 of the charter of the city of Richmond, No. 300; and an act to impose a tax on collateral inheritances and regulate the collection of same, No. 222.

In which amendments and bills they request the concurrence of the Senate.

✓ No. 167, Senate bill to incorporate the Portsmouth and Pinner's Point Drawbridge Company was taken up, read the third time, and the amendments proposed by the House of Delegates agreed to.

✓ No. 278, House bill entitled an act to amend the charter of the town of Richlands was taken up, twice read, and on motion of Mr. BUCHANAN (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

✓ No. 279, House bill entitled an act in reference to compensation of supervisors of Lee county, Va., was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 281, House bill entitled an act to repeal section 1916 of the Code of Virginia, as amended and re-enacted by an act entitled an

- ✓ act to amend and re-enact section 1916 of the Code, in relation to the duties of the sealer of weights and measures, approved February 9, 1892, was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 288, House bill entitled an act to give Claudius Humphries, late deputy treasurer of Lancaster county, power of levy and distress to collect certain uncollected tax tickets in his hands, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 289, House bill entitled an act to extend the time for collecting taxes in Roanoke city and Roanoke county was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 291, House bill entitled an act for the relief of J. C. Haynes, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 294, House bill entitled an act to amend and re-enact section 4 of an act entitled an act to establish an additional court for the city of Norfolk, and to define its jurisdiction, was taken up, twice read, and on motion of Mr. SNEAD (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, and on his further motion (two-thirds concurring), read the third time, and passed with its title.
- ✓ No. 293, House bill entitled an act to punish, as for a misdemeanor, a person using abusive language, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 300, House bill entitled an act to amend and re-enact section 87 of the charter of the city of Richmond, as amended by an act approved February 25, 1892, entitled an act to amend and re enact sections 15, 23, 87 and 94, and subdivisions 5 and 6 of section 19 of the charter of the city of Richmond, was taken up, twice read, and referred to the committee on county, city, and town organizations.
- ✓ No. 290, House bill entitled an act to legalize the charter of the Eureka Power and Manufacturing Company, approved March 5, 1894, and all acts of said company under this charter, was taken up, twice read, and, on motion of Mr. CLAYTOR (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, and, on his further motion (two-thirds concurring), was read the third time, and passed with its title.
- ✓ No. 222, House bill entitled an act to impose a tax on collateral inheritances and regulate the collection of same, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 170, Senate bill to provide for the method of voting by ballot, was taken up, and, on motion of Mr. HAY, made the special order for Tuesday, February 11th, at one o'clock.
- ✓ No. 207, Senate bill relating to the qualification of voters, the

✓ registration of voters, conduct of returns, &c., compensation of officers, defining offences, and providing penalties, &c., was taken up, and, on motion of Mr. HALE, was made the special order for Monday, February 10th, at two o'clock.

✓ No. 452, Senate bill being the unfinished business of yesterday, was taken up, and, on motion of Mr. MAYNARD, passed by until Monday, February 3d.

✓ No. 451, Senate bill to enable the county of Stafford to replace its bonds bearing six per cent. interest with bonds bearing five per cent. interest, and to authorize the issue of said bonds bearing interest at five per cent., was taken up, read the third time, and passed with its title.

✓ No. 287, Senate bill to incorporate the Sons and Daughters of Zion, of the county of Louisa, was taken up, read the third time, and passed with its title.

✓ No. 453, Senate bill to authorize the Munsen Manufacturing Company to erect a wharf or wharves along its water front on Urbanna creek, at Urbanna, in Middlesex county, Virginia, was taken up, read the third time, and passed with its title.

✓ No. 375, Senate bill for the relief of Fannie Grymes, was taken up, read the third time, and passed with its title—ayes, 21; noes, 13.

AYES—Messrs. Barnes, Boykin, Brown, Claytor, Clements, Echols, Flanagan, Green, Hale, E. H. Jackson, G. W. Jackson, Kane, Little, Mason, Mushbach, Parr, Sands, Snead, Southall, Stubbs, and Williams—21.

NOES—Messrs. Fairfax, Flood, Hay, Jones, Jordan, Keezell, Lowry, Maynard, Morris, Tredway, Turnbull, Wickham, and Withers—13.

✓ No. 389, Senate bill for the relief of Sterling Willis, of Scott county, Virginia, was taken up, read the third time, and passed with its title—ayes, 21; noes, 10.

AYES—Messrs. Boykin, Brown, Buchanan, Clement, Flanagan, Flood, Hale, E. H. Jackson, G. W. Jackson, Kane, Little, Mason, Maynard, Mushbach, Parr, Sands, Snead, Southall, Stubbs, Turnbull, and Williams—21.

NOES—Messrs. Echols, Fairfax, Green, Hay, Jones, Jordan, Keezell, Morris, Wickham, and Withers—10.

✓ No. 320, Senate bill to amend an act to incorporate the Old Dominion Telephone Company, approved February 28, 1894, and to change the name to the Old Dominion Telephone, Power and Light Company, was taken up, read the third time, and passed with its title.

On motion of Mr. MAYNARD, the title was amended, as follows:

✓ To amend an act to incorporate the Old Dominion Telephone Company, approved February 28, 1894, and to change the name to the Old Dominion Telephone, Power and Light Company.

✓ No. 298, Senate bill to amend and reenact section 2467 of the Code of Virginia in reference to the admission of writings to record,

✓ was taken up, read the third time, committee's amendments agreed to, and passed with its title.

✓ No. 463, Senate bill to incorporate the Sabine Development Company, was taken up, read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, was on motion of Mr. MORRIS (two-thirds concurring), read the third time and passed with its title; on his further motion, he was ordered to inform the House of Delegates thereof.

✓ A message was received from the House of Delegates by Mr. Cook, informing the Senate that that House insist upon their amendment to Senate bill 159.

✓ On motion of Mr. KEEZELL, a committee of conference of the two houses was agreed to, and the following resolution adopted, and Mr. KEEZELL ordered to inform the House of Delegates thereof:

✓ Resolved by the Senate (the House of Delegates concurring), That a committee of conference—two on the part of the Senate and two on the part of the House—be appointed to consider the disagreeing vote upon the amendments offered by the House of Delegates to Senate bill No. 159, making it unlawful for insurance companies not incorporated by the laws of the state of Virginia, &c.

✓ The chair appointed Mr. KEEZELL and Mr. WICKHAM on the part of the Senate to meet a similar committee on the part of the House of Delegates and consider the amendment and report.

Mr. LITTLE, from the committee on privileges and elections, reported as amended, with the recommendation that it do not pass,

✓ No. 170, Senate bill to provide for the method of voting by ballot.

He, from the same committee, reported with the recommendation that it do not pass,

✓ No. 247, Senate bill to provide for the proper registration of electors and the proper conduct and return of all elections.

And he, from the same committee, reported with the recommendation that it do not pass,

✓ No. 207, Senate bill entitled an act relating to the qualification and privilege of voters, the registration of electors, the proper conduct and return of elections; where, when and how general and special elections to be held; providing for the compensation of election officers and defining offences against the election laws, with the penalties therefor, and providing the method of voting by ballot, &c.

Mr. JONES, from the committee for courts of justice, reported without amendment,

✓ No. 197, Senate bill to provide the manner in which testimony shall be taken in certain chancery suits now pending in the courts of this commonwealth, or which may hereafter be instituted.

He, from the same committee, reported with the recommendation that it do not pass,

✓ No. 213, Senate bill to amend and re-enact section 3154 of the

Code of Virginia, concerning the examination of jurors as to interest or prejudice, and providing for challenging jurors.

- ✓ He, from the same committee, reported without amendment,
No. 261, Senate bill to repeal section 3433, Code of Virginia, requiring clerks of circuit and corporation courts to file in papers of cause copies of decrees and orders made therein after noting, comparing and marking them; their fees.

- ✓ He, from the same committee, reported with amendments,
No. 345, Senate bill to amend and re-enact section 3320 of the Code of Virginia, in reference to the duties of commissioners in chancery.

- ✓ He, from the same committee, reported with an amendment,
No. 186, House bill to amend and re-enact section 2486 of the Code of 1887, as amended by an act to amend and re enact sections 2485 and 2486 of the Code of Virginia in relation to the lien of employers, &c., of transportation, mining and manufacturing companies, on franchises and property of said companies, and how the same may be perfected and enforced, approved February 15, 1892.

- ✓ He, from the same committee, reported without amendment,
No. 293, House bill entitled an act to authorize M. M. Lynch, substituted trustee, to convey certain property in the city of Winchester, which was devised for the benefit of the Catholic Church by John Burns, deceased.

- ✓ He, from the same committee, reported with an amendment,
No. 298, House bill entitled an act to amend and re enact section 2467 of the Code of Virginia, in reference to the admission of writings to record.

- ✓ And he, from the same committee, reported without amendment,
No. 203, House bill to amend and re-enact an act entitled an act to facilitate the giving of bonds required by law, approved March 5, 1894.

- ✓ And he, from the same committee, reported without amendment,
No. 234, House bill entitled an act for the protection of laboring men, who are householders, against being deprived of the exemption to which they are entitled under section 3562 of the Code of Virginia.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

Mr. STUBBS, from the committee on public institutions and education, reported without amendment,

- ✓ No. 438, Senate bill to provide for better school facilities in the county of Craig, and a levy of a special tax therefor.

And he, from the same committee, reported without amendment,

- ✓ No. 263, House bill to amend and re-enact section 1492 of the Code of Virginia, 1887, in relation to the attendance of children in public schools.

Mr. FLOOD, from the committee on fish and game, reported without amendment,

- ✓ No. 162, House bill to prohibit the catching of fish with seines, weirs and nets in Lake Drummond.

He, from the same committee, reported with amendments,

- ✓ No. 29, House bill entitled an act for the protection of game and song-birds in the county of Amelia.

And he, from the same committee, reported,

- ✓ No. 348, Senate bill to amend and re-enact section 7 of an act entitled an act to amend and re-enact section 2134 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 2131, 2133, 2135, 2137, 2148, 2151, 2153, and to repeal sections 2141, 2142, 2143, 2144, 2145, and 2147 of chapter 97 of the Code of Virginia in relation to oysters, and to add independent sections thereto, approved February 25, 1892, and to amend and re-enact sections 6 and 7 of the said act, approved February 26, 1892, approved March 5, 1894.

- ✓ Mr. GREEN, by leave, presented

No. 482, Senate bill to amend and re-enact section 50 of chapter 5 of the Acts of the General Assembly of 1885-'86, entitled an act to provide a new charter for the town of Wytheville, approved February 26, 1886; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

- ✓ Mr. WITHERS, by leave, presented

No. 483, Senate bill to commission officers of Cadets of the Danville Military Institute, Pittsylvania county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. JONES, by leave, presented

- ✓ No. 484, Senate bill for the relief of Dr. J. I. Miller, president of Young Ladies' College, Buena Vista; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

- ✓ Mr. BUCHANAN, by leave, presented

No. 485, Senate bill for the relief of Dulany Malone, a Confederate veteran, of Washington county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BARNES, by leave, presented

- ✓ No. 486, Senate bill to protect sturgeon in the James river and its tributaries; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. BARNES, by leave, presented

- ✓ No. 487, Senate bill to repeal an act entitled an act relating to the unlawful hunting of deer in the county of Charles City, approved February 7, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

✓ Mr. BARNES, by leave, presented .

✓ No. 488, Senate bill for the protection of deer and wild turkeys in the counties of New Kent and Charles City; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

✓ Mr. CLAYTOR, by leave, presented

✓ No. 489, Senate bill to amend and re-enact an act approved March 29, 1882, entitled an act to provide for the election of two commissioners of the revenue for the county of Roanoke; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

✓ Mr. CLAYTOR, by leave, presented

✓ No. 490, Senate bill to require clubs and corporations to obtain license to sell, dispense, or distribute, or give away wines, ardent spirits, malt liquors, or any mixture thereof, alcoholic bitters, bitters containing alcohol, or fruits preserved in ardent spirits; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and bank.

✓ The special order of the day being Senate bill No. 105, to prescribe the amount of recovery from any insurance company or association in case of damage or loss by fire, water, lightning, tornado, cyclones, or otherwise, reported with amendments and also with the recommendation that it do not pass, was taken up, committee's amendments agreed to; on motion of Mr. SANDS was further amended, and, on motion of Mr. WILLIAMS, the substitute for the bill was taken up, and, on motion of Mr. BARNES, the substitute was amended.

✓ Mr. LOVENSTEIN called the pending question, and the bill and substitute as amended was rejected by the following vote—ayes, 11; noes, 18.

AYES—Messrs. Claytor, Flanagan, Flood, Hale, G. W. Jackson, Jones, Parr, Snead, Turnbull, Williams, and Withers—11.

NOES—Messrs. Boykin, Buchanan, Clement, Echols, Green, Hay, E. H. Jackson, Jordan, Keezell, Little, Lovenstein, Lowry, Maynard, Morris, Mushbach, Sands, Stubbs, and Wickham—18.

✓ On motion of Mr. LITTLE, the vote by which Senate bill No. 451 was ordered to be engrossed and read the third time and passed, was reconsidered and passed by.

✓ Mr. MORRIS made an ineffectual motion to reconsider the vote by which the special order of the day (Senate bill No. 105 and substitute therefor) was defeated.

On motion of Mr. HAY, the Senate adjourned until to-morrow, twelve o'clock.

SATURDAY, FEBRUARY 1, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Geo. C. Abbitt.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates, by their clerk, which was read as follows:

In House of Delegates, January 31, 1896.

✓ The House of Delegates has passed Senate bills entitled an act for the relief of Thomas C. Miller, treasurer of the town of Wytheville, No. 153; an act for the relief Charles Straus, trustee under a deed of trust from Levy & Davis, No. 50; an act to authorize J. L. Saunders, treasurer of Henry county, further time in which to collect taxes and county levies for the years 1891, 1892, 1893, and 1894, No. 278; an act to amend and re-enact section 4018 of the Code of Virginia in relation to *venire facias* in case of felony, what to command, number of persons to be summoned, and how selected, No. 326; an act to allow Lewis Jones, late treasurer of Middlesex county, further time to distrain and levy for taxes, levies, and licenses for the years 1891 and 1892, No. 340; and an act to incorporate the Board of Trade of Martinsville for the purpose of encouraging, promoting, and regulating the sale of and trade in leaf tobacco in said town, No. 324

✓ They have agreed to the amendments of the Senate to House bill entitled an act to enlarge the powers of the Richmond Traction Company, No. 125.

✓ They have passed with an amendment, Senate bill entitled an act to amend and re-enact section 2954 of the Code of Virginia in regard to proceedings before a justice for release to claimant of property taken under distress warrant or levied on under execution on judgment of a justice, and when and how appeal allowed, No. 198.

✓ They have passed House bills entitled an act for the relief of John R. Read, late treasurer of Northampton county, No. 307; an act to allow the treasurer of Washington county, additional time to levy for and collect tax tickets held by said treasurer and not returned delinquent, No. 308; an act to allow J. W. Bonner, treasurer of Bath county, further time to distrain, levy, and collect certain tax tickets and license taxes for which he has accounted to the State, No. 309; an act to allow William Mayo and his deputy further time to collect tax tickets now in their hands, No. 310; an act allowing James M. Colly, late treasurer of Dickenson county, and his deputies, further time for collecting uncollected taxes in Dickenson county, No. 311; an act to authorize the board of supervisors of Fairfax county to increase the allowance of the county treasurer for his services in receiving and disbursing county and

✓ school levies, including all moneys collected by order of the county authorities for any purpose, No. 314; an act to amend and re-enact sections 4, 11, and 13 of an act entitled an act to incorporate Pennington Gap, in Lee county, Va., approved February 15, 1892, and to add independent sections thereto, No. 315; an act to incorporate the Virginia State Firemen's Association, No. 318; an act to amend and re-enact section 3 of an act approved March 5, 1894, entitled an act to incorporate the Chesterfield Transit Company, No. 320; an act to amend and re-enact section 8 of an act approved March 5, 1894, ✓ entitled an act to incorporate the Virginia Transit Company, and to authorize it to engage in mining, manufacturing, and storage, No. 321; an act to amend and re-enact section 3793 of the Code of 1887 in reference to buggery, No. 323; an act for the permanent improvement of roads in Stevensburg magisterial district of Culpeper county, and in such other districts as may adopt the same, No. 324; ✓ and an act to amend and re-enact section 812 of the Code of Virginia, 1887, in regard to the superintendent of the poor of Lee county, No. 325.

In which amendment and bills they request the concurrence of the Senate.

✓ No. 198, Senate bill to amend and re-enact section 2954 of the Code of Virginia in regard to proceedings before justice for release to claimant of property taken under distress warrant, or levied on under execution on judgment of a justice, and when and how appeal allowed, was taken up, and amendments proposed by the House of Delegates agreed to.

✓ No. 307, House bill entitled an act for the relief of Jno. R. Read, late treasurer of Northampton county, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 308, House bill entitled an act to allow the treasurer of Washington county additional time to levy and collect tax tickets held by said treasurer, and not returned delinquent, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 309, House bill entitled an act to allow J. W. Bonner, treasurer of Bath county, further time to distrain, levy and collect certain tax tickets and license taxes, for which he has accounted to the State, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 310, House bill entitled an act to allow William Mayo and his deputy further time to collect tax tickets now in their hands, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 311, House bill entitled an act allowing James M. Colly, late treasurer of Dickenson county, and his deputies, further time for collecting uncollected taxes in Dickenson county, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 314, House bill entitled an act to authorize the board of su-

✓ perversors of Fairfax county to increase the allowance of the county treasurer for his services in receiving and disbursing county and school levies, including all moneys collected by order of the county authorities for any purpose, was taken up, twice read, and on motion of Mr. MUSHBACH (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, and on his further motion (two-thirds concurring), read the third time, and passed with its title.

✓ No. 315, House bill entitled an act to amend and re-enact sections 4, 11 and 13 of an act entitled an act to incorporate Pennington Gap, in Lee county, Va., approved February 15th, 1892, and to add independent sections thereto, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 318, House bill entitled an act to incorporate the Virginia State Firemen's Association was taken up, twice read, and referred to the committee on general laws.

✓ No. 320, House bill entitled an act to amend and re-enact section 3 of an act approved March 5, 1894, entitled an act to incorporate the Chesterfield Transit Company, was taken up, twice read, and referred to the committee on roads and internal navigation

✓ No. 321, House bill entitled an act to amend and re-enact section 8 of an act approved March 5, 1894, entitled an act to incorporate the Virginia Transit Company, and to authorize it to engage in mining, manufacturing, and storage, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 323, House bill entitled an act to amend and re-enact section 3793 of the Code of 1887, in reference to buggery, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 324, House bill entitled an act for the permanent improvement of roads in Stevensburg magisterial district of Culpeper county, and in such other districts as may adopt the same, was taken up, twice read, and, on motion of Mr. HAY (the rules being suspended therefor), placed on the calendar.

✓ No. 325, House bill entitled an act to amend and re-enact section 812 of the Code of Virginia 1887, in regard to the superintendent of the poor of Lee county, was taken up, twice read, and on motion of Mr. KANE (the rules being suspended therefor), placed on the calendar.

Mr. ECHOLS, from the committee on roads and internal navigation, reported with an amendment,

✓ No. 478, Senate bill to incorporate the Norfolk and Newport News Ferry Company.

He, from the same committee, reported with amendments,

✓ No. 318, Senate bill to incorporate the Interstate Railroad Company.

He, from the same committee, reported without amendment,

✓ No. 245, House bill to revive, amend and re-enact an act entitled

✓ an act to incorporate the Portsmouth, Smithfield and Western Railway Company, approved March 2, 1892, as amended by an act entitled an act to amend and re-enact sections 1, 10 and 12 of an act entitled an act to incorporate the Portsmouth, Smithfield and Western Railway Company, approved March 2, 1892, and to add an independent section thereto, approved March 2, 1894.

✓ He, from the same committee, reported without amendment, No. 246, House bill to incorporate the Nansemond and Warwick Ferry Company.

✓ And he, from the same committee, reported without amendment, No. 248, House bill to authorize the Port Norfolk Electric Company to extend its tracks.

Mr. JONES, from the committee for courts of justice, reported without amendment.

✓ No. 423, Senate bill to ratify, confirm and approve charters incorporating joint stock companies granted by the circuit or corporation courts of this state, or by the judge of any such court in vacation, in which the capital stock is not in excess of ten thousand dollars, and directors, including the president, are fixed at three.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment.

✓ No. 17, Senate bill to amend and re enact section 5 of an act of the general assembly of Virginia, approved February 12, 1894, entitled an act to establish the law and equity court of the city of Richmond, and to define its jurisdiction and relation to the other courts of said city.

He, from the same committee, reported with recommendation that it be referred to the committee on criminal expenses,

✓ No. 394, Senate bill to amend and re-enact section 834, Code of Virginia, as amended and re-enacted by an act passed March 5, 1888, as amended and re-enacted by an act passed 25th February, 1892, as amended and re enacted by an act passed March 5, 1894, as to the pay of commonwealth's attorneys, sheriffs and clerks.

And it was ordered to be so referred.

✓ He, from the same committee, reported without amendment, No. 401, Senate bill to authorize the board of public works to accept certain bonds in payment of the indebtedness of Emory and Henry College to the commonwealth of Virginia.

✓ He, from the same committee, reported without amendment, No. 227, House bill to relieve Mrs. Catharine Sweeney from effects of erroneous taxation for the years 1892, 1893, 1894 and 1895.

✓ And he, from the same committee, reported without amendment, No. 291, House bill for the relief of J. C. Haynes.

Mr. SANDS, from the committee on general laws, reported with amendments and substitute,

✓ No. 34, Senate bill to prohibit any insurance company or companies licensed in this state from issuing a policy or policies of insurance on any single risk for more than ten per cent. of its capital

✓ stock, or if a mutual company for more than five per cent. of its capital assets, and providing the penalty for so doing.

He, from the same committee, reported without amendment,

✓ No. 416, Senate bill to incorporate the Virginia State Firemen's Association.

He, from the same committee, reported without amendment,

✓ No. 483, Senate bill to commission officers of cadets of the Danville Military Institute, Pittsylvania county.

✓ And he, from the same committee, reported without amendment, No. 178, House bill to protect sub-contractors, supply men and laborers.

Mr. FAIRFAX, from the committee to examine the treasurer's office, reported as follows :

To the Honorable Senate of Virginia :

✓ Your committee have the honor to report that they have examined the treasurer's office, and are pleased to inform the Senate that they found everything pertaining to the office in a most satisfactory condition.

HENRY FAIRFAX,
J. C. GREEN,
B. F. BUCHANAN.

✓ Mr. MAYNARD, by leave, presented

No. 491, Senate bill to enable the rector and board of visitors of the Virginia Agricultural and Mechanical College to procure a supply of water and to construct and maintain a system of water works; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BUCHANAN, by leave, presented

✓ No. 492, Senate bill to incorporate the Evangelical Lutheran Synod of Southwest Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. MAYNARD, by leave, presented

✓ No. 493, Senate bill to amend and re-enact the third section of an act to incorporate the Berkley Street Railway Company, and to authorize it to dispose of so much of its electric power as it may not need for the propulsion of its cars; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. LOWRY, by leave, presented

✓ No. 494, Senate bill to amend and re-enact section 4 of an act entitled an act to provide for the establishment of a high school at Bedford City, and to take the sense of the qualified voters of the municipal and Liberty districts of Bedford county thereon, approved January 23, 1896; which, on his motion, was read the first, ordered

to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. CLAYTOR, by leave, presented

- ✓ No. 495, Senate bill to incorporate the Home Mutual Insurance Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. KEEZELL, by leave, presented

- ✓ No. 496, Senate bill to incorporate the Winchester Telephone Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

✓ Mr. BROWN, by leave, presented

No. 497, Senate bill to repeal section 4082 of the Code; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BROWN, by leave, presented

- ✓ No. 498, Senate bill to amend and re-enact section 865 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re enact section 862 relating to certain duties of county and city treasurers, and 865 of the Code relating to suits against treasurers, approved January 11, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported without amendment,

- ✓ No. 353, Senate bill to repeal an act entitled an act to incorporate the town of Mendota, in the county of Washington, approved December 19, 1889.

Mr. LOVENSTEIN, by leave, presented the following joint resolution:

- ✓ Whereas, by the munificence of George Peabody, the State of Virginia has received from the custodians of the fund left for educational purposes a large amount of money, aggregating over \$300,000, which has materially aided the State in the education of teachers for the public schools of the State; and

- ✓ Whereas, the memory of George Peabody should be perpetuated by all true lovers of philanthropy and unselfish generosity;

- ✓ Resolved by the Senate (the House of Delegates concurring), that the Governor be requested to enter into correspondence with the Executives of the several Southern States, who have been the recipients of this bounty, with the view of taking some united action to perpetuate the memory of this distinguished philanthropist.

- ✓ Resolved, that the Governor be requested, if possible, to report the result of his correspondence before the adjournment of the present session, with such recommendations as he may suggest; which was laid on the table, ordered to be printed with the letter accompanying it, and printed as Senate document No. 11.

- ✓ A message was received from the Governor by his private secretary, informing the Senate that he had vetoed Senate bill No. 168,

- ✓ to incorporate the Portsmouth, Gilmerton and Smithfield Railway and Traction Company.

On motion of Mr. JONES, the message was tabled and ordered to be printed.

RICHMOND, VA., February 1, 1896.

To the General Assembly of Virginia :

I am constrained to return without my approval Senate Bill No. 168, entitled "An act to incorporate the Portsmouth, Gilmerton and Smithfield Railway Traction Company."

Section 3 authorizes the construction of a railroad from Gilmerton, in the county of Norfolk, to and into the city of Portsmouth, and to any other point or points in the counties of Norfolk, Nansemond, and Isle of Wight, and to and into the town of Smithfield by such route or routes as the company may adopt, &c.

- ✓ After a careful examination I have failed to find any provision fixing a time within which the work of construction shall commence or a time within which the road shall be completed.

In other messages to the General Assembly during the last and present sessions, I have respectively expressed the opinion that it is contrary to sound public policy to grant a charter to construct a railroad, without prescribing a time within which the construction shall commence, and a time within which the road shall be completed. Further consideration has strengthened this opinion. I do not think a limitless charter in point of time for the commencement and completion of a railroad should be granted to any company.

The grant in this bill is absolute and unconditional. No right is reserved to repeal the charter, and the General Assembly would have no power over it except such as is conferred by the general law of the State, which would be most inadequate. See sections 1069 and 1240 of the Code.

"Unless a power is reserved for the purpose, the government cannot, without the consent of the corporation, alter or amend a charter, or divest the corporation of any of its franchises."—Wood on Railroads, vol. 2, p. 2060.

Section 1141 of the Code does not cover the objection presented. The term "operations" which is used, is very indefinite, and so far as I know, has never been judicially construed; but if it should be held that the term means work in connection with a railroad, it would be an easy matter for a railroad company, with little expense, to preserve its franchises and yet take a generation or longer within which to construct the road.

CHAS. T. O'FERRALL, *Governor.*

- ✓ A message was received from the House of Delegates by Mr. COOK, informing the Senate that that House had agreed to the joint resolution providing for a joint conference of the two Houses on the amendment of the House of Delegates to Senate bill No. 159.

Mr. FLANAGAN made an unsuccessful motion to reconsider the action of the committee on Senate bill No. 247 by the following recorded vote—ayes, 3; noes, 24.

AYES—Messrs. Flanagan, Hale, and Parr.—3.

NOES—Messrs. Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Sands, Snead, Stubbs, Turnbull, and Withers—24.

- ✓ On motion of Mr. TURNBULL, two days' leave of absence granted to Mr. SOUTHALL.

- ✓ No. 290, House bill to legalize the charter of the Eureka Power and Manufacturing Company, approved March 5, 1894, and all

acts of said company under said charter, was taken up. On motion of Mr. TURNBULL the vote by which the bill passed, was reconsidered, and on his further motion the bill was passed by.

✓ No. 162, House bill to prohibit the catching of fish with seines, wears and nets in Lake Drummond, was taken up, and on motion of Mr. MUSHBACH amended, and as amended was read the third time and passed with its title.

✓ No. 186, House bill to amend and re-enact section 2486 of Code of 1887, as amended by an act entitled an act to amend and re-enact sections 2485 and 2486 of the Code of Virginia, in relation to the lien of employees, &c., of transportation, mining, and manufacturing companies, on franchises and property of said companies, and how the same may be perfected and enforced, approved February 15, 1892, was taken up, read the third time, committee's amendments agreed to and passed with its title.

✓ No. 263, House bill to amend and re-enact section 1492, Code of Virginia, 1887, in relation to the attendance of children in public schools, was taken up, read the third time and passed by.

✓ No. 203, House bill to amend and re-enact an act entitled an act to facilitate the giving of bonds required by law, approved March 5, 1894, was taken up, read the third time, and passed with its title.

✓ No. 293, House bill to authorize M. M. Lynch, substituted trustee, to convey certain property in the city of Winchester which was devised for the benefit of the Catholic Church by John Burns, deceased, was taken up, read the third time, and passed with its title.

✓ No. 480, Senate bill to authorize the common council of the city of Fredericksburg to execute and deliver the bonds of said city for ten thousand dollars to the Assembly's Home and School at Fredericksburg, Va., and to authorize that corporation, in consideration thereof, to provide instruction to certain pupils of the free schools of said city, was taken up, read the second time, and ordered to be engrossed and read the third time.

✓ No. 479, Senate bill to constitute the town of Leesburg and adjoining territory a separate school district, and to authorize the council of said town to appoint or elect the school trustees for said district, was taken up, read the second time, and on motion of Mr. FAIRFAX amended, and as amended ordered to be engrossed and read the third time.

✓ No. 476, Senate bill to define a lawful fence for the county of Princess Anne, was taken up, read the second time, ordered to be engrossed, and read a third time.

✓ No. 458, Senate bill to authorize the trustees of Tazewell High School to sell and convey any property held by them to the trustees of the Jeffersonville district free school board, to be held by the latter for free school purposes, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ No. 460, Senate bill to amend and re-enact sections 5 and 20 of

an act entitled an act to incorporate the town of Berkley, in the county of Norfolk, approved March 13, 1890, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ No. 464, Senate bill to prescribe the times for holding the circuit courts in the ninth judicial circuit, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ No. 387, Senate bill for the relief of J. E. Flanery, of Scott county, Va., was taken up, read the second time, and, on motion of Mr. KANE, indefinitely postponed.

✓ No. 286, Senate bill for the relief of W. H. Ewing, treasurer of Prince Edward county, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ No. 457, Senate bill to amend and re enact section 7 of chapter 3 of an act entitled an act to provide a new charter for the town of Graham, in the county of Tazewell, approved February 29, 1892, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ No. 455, Senate bill to amend section 2 of a charter granted to the John G. Hurkamp Company on the 7th day of August, 1895, by the judge of the circuit court of Fredericksburg in vacation, and to confirm and approve and ratify such charter as amended and all its provisions, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ No. 149, Senate bill to amend and re enact section 3680 of the Code of Virginia in reference to rape and its punishment, was taken up, read the third time, and passed by.

✓ No. 451, Senate bill to enable the county of Stafford to replace its bonds bearing six per cent. interest with bonds bearing five per cent. interest, and to authorize the issue of said bonds bearing interest at five per cent., was taken up, read the third time, and passed.

✓ No. 446, Senate bill to amend and re-enact sections 4071, 4074, and 4075 of the Code of Virginia, in relation to the confinement in jail, and release therefrom, of persons sentenced or directed by a court or justice to be confined therein in default of the payment of a fine, or fine and costs, or costs, where there is no fine; or until such fine, or fine and costs, or costs, be paid and the release from jail of persons in jail under *capias pro fine*, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ A joint resolution for the relief of James G. Field, was, on motion of Mr. MORRIS, taken up, read the second time, ordered to be engrossed and read a third time.

On motion of Mr. JONES, the Senate adjourned until Monday at twelve o'clock.

MONDAY, FEBRUARY 3, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Journal of Saturday read by the clerk.

A communication from the House of Delegates, by their clerk, was read as follows:

In House of Delegates, February 1st, 1896.

The House of Delegates has passed Senate bills entitled an act to authorize the construction by the Piedmont Soapstone Company of tramways or railroad not exceeding twenty-five miles in length, and the encumbering and disposal of the same, No. 22; an act to amend and re-enact section 7 of an act entitled an act to incorporate the Potts Valley Railroad and Iron Company, as amended and re-enacted by chapter 140 of the Session Acts of 1893-'94, approved February 6th, 1894, No. 71; an act to amend and re-enact section 833, Code of Virginia 1887, entitled powers and duties of board at annual meeting, No. 73; an act to incorporate the town of Saltville and to repeal an act entitled an act to incorporate the town of Saltville, approved March 8th, 1894, No. 299; an act to work the public roads of Middlesex county, Va., No. 315; an act to amend and re-enact first section of Acts of 1893 and 1894, chapter 198, for the protection of game in the counties of Charlotte and Mecklenburg, No. 352; an act to incorporate the Herndon and Aldie Railroad Company, No. 419; and an act to incorporate the Sabine Development Company, No. 463.

They have dismissed Senate bill entitled an act to authorize Fairfield school district, in the county of Henrico, to issue bonds for the payment of a building for a graded school, No. 242.

And they have rejected Senate bill entitled an act for the relief of R. M. Mallory, of Brunswick county, Va., No. 235.

They have passed, with amendments, Senate bills entitled an act to incorporate the Piedmont Mining and Manufacturing Company, No. 343; an act to amend and re-enact sections 1 and 13 of an act entitled an act to incorporate the Fredericksburg and Lancaster Railroad Company, approved January 22, 1894, No. 374; and an act to incorporate the Fredericksburg Telephone Company, No. 33.

They have passed House bill entitled an act to provide a new charter for the town of Iron Gate, No. 183.

In which amendments and bills they request the concurrence of the Senate.

No. 343, Senate bill to incorporate the Piedmont Mining and Manufacturing Company.

The bill was subsequently taken up, and the amendments proposed by the House of Delegates agreed to.

No. 374, Senate bill to amend and re-enact sections 1 and 13 of

an act entitled an act to incorporate the Fredericksburg and Lancaster Railroad Company, approved January 22, 1894.

- ✓ The bill was subsequently taken up, and the amendment proposed by the House of Delegates agreed to.

- ✓ No. 33, Senate bill to incorporate the Fredericksburg Telephone Company.

The bill was subsequently taken up, and on motion of Mr. ECHOLS, passed by.

- ✓ No. 183, House bill entitled an act to provide a new charter for the town of Iron Gate, was taken up, twice read, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

Mr. SANDS, from the committee on general laws, reported with the recommendation that it be referred to the committee for courts of justice,

- ✓ No. 398, Senate bill to amend and re-enact section 3286, Code of 1887, was taken up, and ordered to be referred to the committee for courts of justice.

He, from the same committee, reported with the recommendation that it be referred to the committee for courts of justice,

- ✓ No. 399, Senate bill to amend and re-enact an act to amend and re-enact section 3225 of the Code of 1887, was taken up, and ordered to be referred to the committee for courts of justice.

He, from the same committee, reported with the recommendation that it do not pass,

- ✓ No. 38, House bill to amend and re-enact an act approved March 8, 1894, entitled an act for the protection of hotels and boarding houses.

He, from the same committee, reported with an amendment,

- ✓ No. 277, House bill to amend section 1220 of the Code of 1887 in relation to fines imposed upon express companies.

He, from the same committee, reported with amendments,

- ✓ No. 281, House bill to repeal section 1916 of the Code of Virginia as amended and re-enacted by an act entitled an act to amend and re-enact section 1916 of the Code in relation to the duties of the sealer of weights and measures, approved February 9, 1892.

He, from the same committee, reported without amendment,

- ✓ No. 318, House bill to incorporate the Virginia State Firemen's Association.

He, from the same committee, reported with amendments,

- ✓ No. 495, Senate bill to incorporate the Home Mutual Insurance Company of Virginia.

And he, from the same committee, reported,

- ✓ No. 230, House bill entitled an act to amend and re-enact section 164 of the Code of Virginia as amended and re-enacted by an act approved February 15, 1894, in relation to allowing certain persons

to hold State and United States offices, was taken up, twice read, and referred to the committee on general laws.

Mr. JONES, from the committee for courts of justice, reported with amendments,

- ✓ No. 249, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 3044 of the Code of Virginia in relation to the counties and districts of county court judges, approved December 21, 1891.

He, from the same committee, reported with amendments,

- ✓ No. 270, House bill to amend and re-enact an act entitled an act to amend and re-enact section 2042 of the Code of Virginia in relation to trespass by cattle, etc., approved March 1, 1888.

He, from the same committee, reported with amendments,

- ✓ No. 235, House bill to amend and re-enact section 3904 of the Code of Virginia entitled how, of person convicted of misdemeanor, minimum fine.

He, from the same committee, reported without amendment,

- ✓ No. 233, House bill to amend and re-enact section 3160 of the Code of Virginia in relation to the pay and mileage of jurors.

He, from the same committee, reported with amendments,

- ✓ No. 477, Senate bill to amend and re-enact section 3153 of the Code of Virginia in reference to juries in civil cases.

And he, from the same committee, reported without amendment,

- ✓ A substitute No. 505 Senate bill for Senate bills Nos. 209 and 305 in relation to diseases of cattle.

Mr. MUCHBACH, from the committee on county, city and town organizations, reported without amendment,

- ✓ No. 271, House bill to confirm and ratify the action of the councils of the city of Norfolk in closing up and relinquishing title to a part of the so-called Duke street canal.

Mr. MORRIS, by leave, presented

- ✓ No. 499, Senate bill to incorporate Blue Ridge Club; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. HALE, by leave, presented

- ✓ No. 500, Senate bill to incorporate the Blue Ridge Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. JONES, by leave, presented

- ✓ No. 501, Senate bill to amend and re-enact section 1 and to repeal section 2 of an act entitled an act to regulate and protect the crabbing industry, and to prohibit non-residents from catching crabs in the waters of Virginia, approved March 7, 1894, and to add independent sections thereto; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. JONES, by leave, presented

- ✓ No. 502, Senate bill to prescribe a penalty for depositing mud, etc., on assigned oyster grounds; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. JONES, by leave, presented

- ✓ No. 503, Senate bill for the protection of signals, beacons, buoys, stakes, etc.; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. FLOOD, by leave, presented

- ✓ No. 504, Senate bill for the relief of Samuel P. Mosely, a disabled Confederate soldier; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. GREEN, by leave, presented

Substitute for No. 482, Senate bill to amend and re-enact section 50 of chapter 3 of the Acts of the General Assembly, 1885-'86, entitled an act to provide a new charter for the town of Wytheville, approved February 26, 1886; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

- ✓ No. 455, Senate bill to amend section 2 of a charter granted to the John G. Hurkamp Company on the 7th day of August, 1895, by the judge of the circuit court of Fredericksburg in vacation, and to confirm and approve and ratify such charter as amended and all its provisions, was taken up, read the third time, and passed with its title.

- ✓ No. 451, Senate bill to enable the county of Stafford to replace its bonds bearing six per cent. interest with bonds bearing five per cent. interest, and to authorize the issue of said bonds bearing interest at five per cent., was taken up, read the third time, and passed with its title.

- ✓ No. 458, Senate bill to authorize the trustees of Tazewell High School to sell and convey any property held by them to the trustees of the Jeffersonville district free school board, to be held by the latter for free school purposes, was taken up, read the third time, and passed with its title.

- ✓ No. 457, Senate bill to amend and re-enact section 7 of chapter 3 of an act entitled an act to provide a new charter for the town of Graham, in the county of Tazewell, approved February 29, 1892, was taken up, read the third time, and passed with its title.

- ✓ No. 480, Senate bill to authorize the common council of the city of Fredericksburg to execute and deliver the bonds of said city for ten thousand dollars to the Assembly's Home and School at Fredericksburg, Va., and to authorize that corporation, in consideration thereof, to provide instruction to certain pupils of the free schools of said city, was taken up, read the third time, and passed with its title.

- ✓ No. 479, Senate bill to constitute the town of Leesburg and adjoining territory a separate school district, and to authorize the council of said town to appoint or elect the school trustees for said district, was taken up, read the third time, and passed with its title.
 - ✓ The bill was subsequently taken up, and on motion of Mr. FAIRFAX, the vote by which the bill was passed was reconsidered, and on his further motion, the bill was passed by.
 - ✓ No. 476, Senate bill to define a lawful fence for the county of Princess Anne, was taken up, read the third time, and passed with its title.
 - ✓ No. 464, Senate bill to prescribe the times for holding the circuit courts in the ninth judicial circuit, was taken up, read the third time, and passed with its title.
 - ✓ No. 452, Senate bill to amend and re-enact section 1073 of the Code of Virginia in reference to the quantity of land to be taken by works of internal improvement, was taken up, and on motion of Mr. MAYNARD, made the special order for Friday, the 7th inst., at one o'clock.
 - ✓ No. 325, House bill entitled an act to amend and re-enact section 812 of the Code of Virginia 1887, in regard to the superintendent of the poor of Lee county, was taken up, read the third time, and passed with its title.
 - ✓ No. 287, House bill entitled an act to amend and re-enact an act entitled an act regulating the fishing of purse-nets and pound-nets and the tributaries of the Potomac river, within the jurisdiction of the counties of Stafford, King George, Westmoreland, and Northumberland, and in the Rappahannock river, approved March 3, 1892, was taken up, and on motion of Mr. JONES, the bill was amended by the following vote—ayes, 15; noes, 7.
- AYES—Messrs. Buchanan, Claytor, Clement, Fairfax, Flood, Green, Hale, Jones, Jordon, Lowry, Morris, Mushbach, Parr, Sands, and Wickham—15.
- NOES—Messrs. Barnes, Brown, Kane, LeCato, Mason, Maynard, and Stubbs—7.
- ✓ The bill as amended was then read the third time and passed with its title.
 - ✓ No. 291, House bill entitled an act for the relief of J. C. Haynes, was taken up, read the third time, and passed with its title.
 - ✓ No. 248, House bill entitled an act to authorize the Port Norfolk Electric Company to extend its tracks, was taken up, read the third time, and passed with its title.
 - ✓ No. 178, House bill entitled an act to protect sub-contractors, supply men and laborers, was taken up, read the third time, and on motion of Mr. MORRIS, recommitted to the committee for courts of justice.
 - ✓ No. 29, House bill entitled an act for the protection of game and song-birds in the counties of Amelia and Charlotte, was taken up,

read the third time, the committee's amendments agreed to and passed, and the tile was amended.

✓ A message was received from the House of Delegates by Mr. COOK, who informed the Senate that that house had passed House bill No. 327, entitled an act to amend and re-enact section 1073 of the Code of Virginia in reference to the quantity of land to be taken by works of internal improvement.

✓ The bill was subsequently taken up, and on motion of Mr. WICKHAM, referred to the committee on roads and internal navigation.

✓ On motion of Mr. MUSHBACH, leave of absence for one day to Mr. LITTLE was granted.

✓ On motion of Mr. CLAYTOR, leave of absence for one day to Mr. FLANAGAN was granted.

✓ On motion of Mr. BUCHANAN, leave of absence for three days was granted to Mr. KEEZELL.

✓ On motion of Mr. BUCHANAN, leave of absence for one day was granted to Mr. TURNBULL.

✓ No. 290, House bill entitled an act to legalize the charter of the Eureka Power and Manufacturing Company, approved March 5, 1894, and all acts of said company under this charter, was taken up, read the third time, and on motion of Mr. CLAYTOR, amended, and on his further motion, the bill was passed by.

✓ No. 357, Senate bill to amend and re-enact section 10 of chapter 743, Acts of Assembly 1893-1894, with reference to the unlawful taking or catching of crabs, was taken up, twice read, and ordered to be engrossed and read the third time.

✓ No. 438, Senate bill to provide for better school facilities in the county of Craig, and a levy of a special tax therefor, was taken up, twice read, and ordered to be engrossed and read the third time.

✓ No. 215, Senate bill to amend and re-enact an act entitled an act for the protection of certain game in the county of Roanoke, was taken up, twice read, committee's amendments agreed to, and ordered to be engrossed and read a third time.

✓ No. 356, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 2088 of the Code of Virginia in relation to hauling seines or setting traps in the waters of Accomac and Northampton counties, approved March 3d, 1892, was taken up, read the second time, and ordered to be engrossed and read the third time.

✓ No. 358, Senate bill to amend and re-enact an act entitled an act to regulate and protect the crabbing industry, and to prohibit non-residents from catching crabs in the waters of Virginia, approved March 7th, 1894; and to repeal an act entitled an act to protect the crab industry of the Commonwealth, approved May 12th, 1887, was taken up, twice read, and ordered to be engrossed and read the third time.

No. 84, Senate bill to have the boundaries of certain natural oyster-beds, rocks and shoals, in Mathews county surveyed and plats

made of the same, was taken up, twice read, and, on motion of Mr. JONES, passed by, and the substitute proposed by the committee agreed to and ordered to be printed by the following vote—ayes, 12; noes, 10.

AYES—Messrs. Barnes, Claytor, Clement, Fairfax, Hale, G. W. Jackson, Jones, Jordan, Lowry, Morris, Parr, and Withers—12.

NOES—Messrs. Echols, Flood, Green, Kane, LeCato, Mason, Maynard, Sands, Snead, and Stubbs—10.

No. 188, Senate bill to create a fish commission, define the duties and fix the salaries of its members, was taken up, and Mr. MORRIS moved to pass by and make it a special order for next Friday, which was lost by the following vote—ayes, 10; noes, 15.

AYES—Messrs. Brown, Clement, Fairfax, Green, Hale, Mason, Morris, Mushbach, Parr, and Withers—10.

NOES—Messrs. Barnes, Buchanan, Echols, Flood, G. W. Jackson, Jones, Jordan, Kane, LeCato, Lowry, Maynard, Sands, Snead, Stubbs, and Wickham—15.

On motion of Mr. JONES, it was made the special order for Monday next, one o'clock, 10th inst.

The special order for to-day, on motion of Mr. BROWN, was passed by until Thursday, one o'clock, 9th inst.

On motion of Mr. JONES, leave of absence for one day was granted the following senators: Messrs. MUSHBACH, WILLIAMS, WITHERS, CLEMENTS, E. H. JACKSON, PARR, and LOWRY.

On motion of Mr. HALE, the Senate adjourned until to-morrow, twelve o'clock.

TUESDAY, FEBRUARY 4, 1896.

Mr. LOVENSTEIN, President *pro tempore*, in the chair.

Prayer by Rev. R. G. Waterhouse.

Journal of yesterday read by the clerk.

A communication was received from the House of Delegates by their clerk, which was read as follows:

In House of Delegates, February 3, 1896.

The House of Delegates has passed Senate bills entitled an act to amend section 2 of an act entitled an act to incorporate the town of Shendun, Va., approved February 16, 1892, No. 322; an act to repeal the charter of the Monarch Fire Insurance Company of Alexandria county, Va., which was granted by the judge of the circuit court of Alexandria county on the twelfth day of February, 1895,

✓ under section 1145 of the Code of Virginia, and amendatory acts, No. 227; an act to amend and re-enact section 2660, Code of Virginia, fixing the order in which debts of decedent are to be paid, No. 256; an act to repeal the charter of the Westmoreland Insurance Company of Colonial Beach, Va., which was granted by the judge of the circuit court of Westmoreland county on the sixteenth day of July, 1892, under section 1145 of the Code of Virginia, and amendatory acts, No. 361; an act to extend the time for commencing and completing the construction of the Saltville and Mendota Railroad Company, and to legalize the payment made by said railroad company of the fee required by law, No. 442; and an act to enable the city of Winchester to accept the bequest of John Handley, deceased, to validate the same and provide for the administration thereof, No. 444.

✓ They have agreed to the amendment of the Senate to House bill entitled an act to amend and re-enact section 2467 of the Code of Virginia in reference to the admission of writings to record, No. 298.

✓ They have dismissed Senate bill entitled an act to relieve Marcellus Arvin, of the county of Lunenburg, from the payment of a fine imposed upon him by the county court of said county, No. 360.

✓ They have disagreed to the amendment of the Senate to House bill entitled an act to amend and re-enact an act entitled an act to make husband and wife competent witnesses for or against each other in civil cases, approved March 5, 1894, and the title of said act, No. 180.

✓ They have passed House bills entitled an act to amend and re-enact sections 3, 8, and 10 of an act entitled an act to amend sections 2, 4, 6, and 10 of an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers and the guarantee and condition upon which they are sold, and fixing the penalties incurred for violations of the same, approved February 24, 1890, amended by an act approved March 8, 1894, No. 124; an act to amend section 3149 of the Code of Virginia in relation to jurors, No. 295; an act to incorporate the Newport News and Hampton Electric Railway Company, No. 305; an act to regulate the practice of veterinary medicine and surgery in the State of Virginia, No. 319; an act to amend sections 1, 2, 8, and 11 of an act to incorporate the South Norfolk Street Railway Company, approved February 15, 1894, No. 326; an act to incorporate the Blacksburg Railway Company, No. 328; an act to incorporate the Falls Church and Potomac Railway Company, No. 329; an act to amend and re-enact section 9 of an act of the General Assembly of Virginia, approved March 3, 1894, entitled an act to provide a new charter for the town of Clintwood, in Dickenson county, No. 331; an act to repeal section 9 of chapter 3 of an act of the General Assembly of Virginia, approved March 3, 1894, entitled an act to provide a new charter for the town of Clintwood, in Dickenson county, No. 332; an act to protect fish in the York, Mattaponi, and Pamunkey rivers, by pre-

venting fishing with any fixed device in said rivers except gill stake-nets in water over certain depths, and to amend and re-enact an act approved March 2, 1894, entitled an act to protect fish in the Mataponi, Pamunkey, and York rivers, No. 304; an act to enable the county of Stafford to replace its bonds bearing six per centum interest with bonds bearing five per centum interest, and to authorize the issue of said bonds bearing interest at five per centum, No. 337; an act for the relief of W. J. Mills, a disabled Confederate soldier, of Hanover county, No. 341; an act to regulate the granting of injunctions in certain cases, No. 346; an act to amend and re-enact section 2939 of the Code of Virginia in relation to the jurisdiction of justices of the peace, as amended and re-enacted by chapter 621 of the Acts of Assembly of 1891-92, No. 347; an act to amend and re-enact sections 5 and 20 of an act entitled an act to incorporate the town of Berkley, in the county of Norfolk, approved March 3, 1890, No. 352; an act to maintain the credit of Norfolk county, and to authorize the treasurer of said county to borrow money, No. 355; an act to amend and re-enact section 875 of the Code of Virginia, 1887, in relation to the salary of the superintendent of the poor in Buckingham county, No. 357; an act to amend and re-enact section 1 of an act authorizing the board of supervisors of each county in the State to levy a tax on dogs, and to enforce collection of said tax, with certain penalties in case of failure to pay the same, approved March 5, 1894, No. 360; an act to submit the question of repealing the fence law to the qualified voters of Lee district, Fairfax county, No. 361; and an act to authorize the common council of the city of Fredericksburg to execute and deliver the bonds of said city for \$10,000 to the Assembly's Home and School at Fredericksburg, Va., and to authorize that corporation, in consideration thereof, to provide instruction to certain pupils of the free schools of said city, No. 362.

In which bills they request the concurrence of the Senate.

- ✓ No. 180, House bill entitled an act to amend and re-enact an act entitled an act to make husband and wife competent witnesses for or against each other in civil cases, approved March 5, 1894, and the title of said act, was taken up, twice read, and on motion of Mr. HAY, the Senate adheres to its amendments to the bill.
- ✓ No. 124, House bill entitled an act to amend and re-enact sections 3, 8, 6, and 10 of an act entitled an act to amend sections 2, 4, 6, and 10 of an act to protect and advance agriculture, by regulating the sale and purity of commercial fertilizers, and the guarantee and condition upon which they are sold, and fixing the penalties incurred for violations of the same, approved February 24, 1890, amended by an act approved March 8, 1894, was taken up, twice read, and referred to the committee on agriculture, mining and manufacturing.
- ✓ No. 295, House bill entitled an act to amend section 3149 of the

Code of Virginia, in relation to jurors, was taken up, twice read, and referred to committee for courts of justice.

- ✓ No. 305, House bill entitled an act to incorporate the Newport News and Hampton Electric Railway Company, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 319, House bill entitled an act to regulate the practice of veterinary medicine and surgeon in the State of Virginia, was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 326, House bill entitled an act to amend sections 1, 2, 8, and 11 of an act to incorporate the South Norfolk Street Railway Company, approved February 15, 1894, was taken up, twice read, and on motion of Mr. MASON (the rules being suspended therefor) placed on the calendar.
- ✓ No. 328, House bill entitled an act to incorporate the Blacksburg Railway Company, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 329, House bill entitled an act to incorporate the Falls Church and Potomac Railway Company, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 337, House bill entitled an act to enable the county of Stafford to replace its bonds bearing six per centum interest with bonds bearing five per centum interest, and to authorize the issue of said bonds bearing interest at five per centum, was taken up, twice read, and on motion of Mr. MASON (the rules being suspended therefor) placed on the calendar.
- ✓ No. 332, House bill entitled an act to repeal section 9 of chapter 3 of an act of the General Assembly of Virginia, approved March 3, 1894, entitled an act to provide a new charter of the town of Clintwood, in Dickenson county, was taken up, twice read, and referred to the committee on county, city and town organizations.
- ✓ No. 331, House bill entitled an act to amend and re-enact section 9 of an act of the General Assembly of Virginia, approved March 3rd, 1894, entitled an act to provide a new charter for the town of Clintwood, in Dickenson county, was taken up, twice read, and referred to the committee on county, city, and town organizations.
- ✓ No. 341, House bill entitled an act for the relief of W. J. Mills, a disabled Confederate soldier of Hanover county, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 346, House bill entitled an act to regulate the granting of injunctions in certain cases, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 347, House bill entitled an act to amend and re-enact section 2939 of the Code of Virginia, in relation to the jurisdiction of justices of the peace, as amended and re-enacted by chapter 621 of

the Acts of Assembly of 1891-'92, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 355, House bill entitled an act to maintain the credit of Norfolk county and to authorize the treasurer of said county to borrow money, was taken up, twice read, and on motion of Mr. MASON (the rules being suspended therefor), placed on the calendar.

✓ No. 352, House bill entitled an act to amend and re-enact sections 5 and 20 of an act entitled an act to incorporate the town of Berkley, in the county of Norfolk, approved March 3, 1890, was taken up, twice read, and on motion of Mr. MASON (the rules being suspended therefor), placed on the calendar.

✓ No. 357, House bill entitled an act to amend and re-enact section 875 of the Code of Virginia 1887, in relation to the salary of the superintendent of the poor in Buckingham county, was taken up, twice read, and on motion of Mr. FLOOD (the rules being suspended therefor), placed on the calendar.

✓ No. 360, House bill entitled an act to amend and re-enact section 1 of an act authorizing the board of supervisors of each county in the State to levy a tax on dogs, and to enforce collection of said tax with certain penalties in case of failure to pay the same, approved March 5, 1894, was taken up, twice read, and referred to the committee on county, city, and town organizations.

✓ No. 361, House bill entitled an act to submit the question of repealing the fence law to the qualified voters of Lee district, Fairfax county, was taken up, twice read, and referred to the committee on county, city, and town organizations.

✓ No. 362, House bill entitled an act to authorize the common council of the city of Fredericksburg to execute and deliver the bonds of said city for \$10,000 to the Assembly's Home and School at Fredericksburg, Va., and to authorize that corporation, in consideration thereof, to provide instruction to certain pupils of the free schools of said city, was taken up, twice read, and on motion of Mr. ECHOLS (the rules being suspended therefor), placed on the calendar.

✓ No. 304, House bill entitled an act to protect fish in the York, Mattaponi and Pamunkey rivers, by preventing fishing with any fixed device in said rivers, except gill, stake-nets in water over certain depths, and to amend and re-enact an act approved March 2, 1894, entitled an act to protect fish in the Mattaponi, Pamunkey and York rivers, was taken up, twice read, and referred to the committee on fish and game.

Mr. STUBBS, from the committee on public institutions and education, reported without amendment,

✓ No. 275, House bill to amend and re-enact section 4144 of the Code of Virginia, entitled record to be kept of conduct of convicts; to have credit for good conduct.

Mr. JACKSON, by leave presented,

✓ No. 506, Senate bill to amend and re-enact sections 17 and 18 of

✓ an act to provide a new charter for the town of Waverly, approved February 29, 1892, and to validate certain taxes and assessments levied and imposed by the council of said town; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

✓ Mr. LOVENSTEIN, by leave, presented

✓ No. 507, Senate bill to prevent cruelty to children, and to regulate and provide for their custody and control in certain cases; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

✓ Mr. KANE, by leave, presented

✓ No. 508, Senate bill to amend and re-enact section 6 of an act entitled an act to incorporate Bond Town in said county; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

✓ Mr. SANDS, by leave, presented

✓ No. 509, Senate bill to provide for a method for the better assessment of personal property under the control of fiduciaries and the several courts of the Commonwealth; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. BUCHANAN, by leave, presented

✓ No. 510, Senate bill to amend and re-enact section 9 of an act approved December 17, 1891, entitled an act to incorporate the Marion Rye Valley Railroad; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

✓ Mr. FLANAGAN, by leave, presented the following

✓ Petition of E. F. Davis and others praying for the repeal of certain Acts of Assembly in relation to the bonds of Powhatan county; which, on his motion, was referred to the committee on general laws.

✓ Mr. STUBBS, from the special committee of investigation on Deaf, Dumb and Blind Institute, made a special report; which, on motion of Mr. ECHOLS, was passed by until to-morrow.

✓ No. 213, Senate bill to amend and re-enact section 3154 of the Code of Virginia, concerning the examination of jurors as to interest or prejudice, and providing for challenging jurors, was taken up, read the second time, and the committee's recommendation that it do not pass agreed to, and the bill rejected.

✓ No. 247, Senate bill to provide for the proper registration of electors and the proper conduct and return of all elections, was taken up, read the second time, and on motion of Mr. FLANAGAN, indefinitely postponed.

The following Senate bills were taken up, read the third time, and passed with their titles:

- ✓ No. 215, Senate bill to amend and re-enact an act entitled an act for the protection of certain game in the county of Roanoke.
- ✓ No. 358, Senate bill to amend and re-enact an act entitled an act to regulate and protect the crabbing industry, and to prohibit non-residents from catching crabs in the waters of Virginia, approved March 7, 1894, and to repeal an act entitled an act to protect the crab industry of the commonwealth, approved May 12, 1887.
- ✓ No. 357, Senate bill to amend and re-enact section 10 of chapter 743 of Acts of Assembly of 1893-'94, with reference to unlawful taking or catching of crabs.
- ✓ No. 356, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 2088 of the Code of Virginia in relation to hauling seines or setting traps in the waters of Accomac and Northampton counties, approved March 3, 1892.
- ✓ No. 438, Senate bill to provide for better school facilities in the county of Craig, and a levy of a special tax therefor.

The following Senate bills were taken up, read the second time, and ordered to be engrossed and read a third time :
- ✓ No. 84, Senate bill to have the boundaries of certain natural oyster beds, rocks and shoals, in Mathews county, surveyed and plats made of the same.
- ✓ No. 422, Senate bill to amend and re-enact sections 2 and 10 of an act entitled an act to protect sheep and other stock in the counties of Accomac and Northampton, approved February 7th, 1894.
- ✓ No. 261, Senate bill to repeal section 3433, Code of Virginia, requiring clerks of circuit and corporation courts to file in papers of cause copies of decrees and orders made therein after noting, comparing and marking them; their fees.
- ✓ No. 17, Senate bill to amend and re enact section 5 of an act of the general assembly of Virginia, approved February 12, 1894, entitled an act to establish the law and equity court of the city of Richmond, and to define its jurisdiction and relation to the other courts of said city.
- ✓ No. 401, Senate bill to authorize the board of public works to accept certain bonds in payment of the indebtedness of Emory and Henry College to the commonwealth of Virginia.
- ✓ No. 423, Senate bill to ratify, confirm and approve charters incorporating joint stock companies granted by the circuit or corporation courts of this state, or by the judge of any such court in vacation, in which the capital stock is not in excess of ten thousand dollars, and directors, including the president, are fixed at three.
- ✓ No. 353, Senate bill to repeal an act entitled an act to incorporate the town of Mendota, in the county of Washington, approved December 19, 1889.
- ✓ No. 493, Senate bill to amend and re-enact the third section of an act to incorporate the Berkley Street Railway Company, and to authorize it to dispose of so much of its electric power as it may not need for the propulsion of its cars.

- ✓ No. 494, Senate bill to amend and re-enact section 4 of an act entitled an act to provide for the establishment of a high school at Bedford City, and to take the sense of the qualified voters of the municipal and Liberty districts of Bedford county thereon, approved January 23, 1896.
- ✓ No. 499, Senate bill to incorporate the Blue Ridge Club.
- ✓ No. 345, Senate bill to amend and re-enact section 3320 of the Code of Virginia, in reference to the duties of commissioners in chancery, was taken up, twice read, committee's amendments agreed to, and ordered to be engrossed and read a third time.
- ✓ No. 483, Senate bill to commission officers of Cadets of the Danville Military Institute, Pittsylvania county, was taken up, twice read, Mr. WITHER's amendment agreed to, ordered to be engrossed and read a third time.
- ✓ No. 416, Senate bill to incorporate the Virginia State Firemen's Association, was taken up, twice read, and on motion of Mr. SANDS, indefinitely postponed.
- ✓ No. 318, Senate bill to incorporate the Interstate Railroad Company, was taken up, twice read, committee's amendments agreed to, ordered to be engrossed and read a third time.
- ✓ No. 478, Senate bill to incorporate the Norfolk and Newport News Ferry Company, was taken up, twice read, committee's amendments agreed to, and on motion of Mr. WICKHAM, the bill was further amended, and as amended ordered to be engrossed and read a third time.
- ✓ No. 495, Senate bill to incorporate the Home Mutual Insurance Company of Virginia, was taken up, twice read, committee's amendments agreed to, and ordered to be engrossed and read a third time.
- ✓ No. 34, Senate bill to prohibit any fire insurance company incorporated or licensed in this state from issuing a policy or policies of insurance on any single risk for more than ten per cent. of its capital stock, or if a mutual company for more than five per cent. of its cash assets, and providing the penalty for so doing, was taken up, read the second time, and the substitute for the bill proposed by the committee was adopted and amended, and, as amended, was ordered to be engrossed and read a third time.
- ✓ No. 477, Senate bill to amend and re-enact section 3153 of the Code of Virginia in reference to juries in civil cases, was taken up, read the second time, committee's amendments agreed to, and ordered to be engrossed and read a third time.
- ✓ No. 246, House bill to incorporate the Nausemond and Warwick Ferry Company, was taken up, read the third time, and passed with its title.
- ✓ No. 38, House bill to amend and re-enact an act approved March 8, 1894, entitled an act for the protection of hotels and boarding houses, was taken up, read the third time, and rejected.
- ✓ No. 235, House bill to amend and re-enact section 3904 of the Code of Virginia, entitled how, of person convicted of misdemeanor;

minimum fine, was taken up, committee's amendments agreed to, and, on motion of Mr. HAY, passed by.

✓ The bill was subsequently taken up, and, on motion of Mr. MASON, amended, agreed to, and, on his further motion, the bill as amended was read the third time and passed with its title.

✓ No. 271, House bill entitled an act to confirm and ratify the action of the councils of the city of Norfolk in closing up and relinquishing title to a part of the so-called Duke street canal, was taken up, read the third time, and passed with its title.

✓ No. 277, House bill to amend and re-enact section 1220 of the Code of 1887 in relation to fines imposed upon express companies, was taken up, read the third time, and, on motion of Mr. MORRIS, indefinitely postponed.

✓ No. 281, House bill to repeal section 1916 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 1916 of the Code in relation to the duties of the sealer of weights and measures, approved February 9, 1892, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

✓ On motion of Mr. SANDS, the title was amended.

✓ On motion of Mr. STUBBS, the vote by which the bill passed was reconsidered and passed by.

On motion of Mr. LE CATO, 100 extra copies of Senate bill No. 471 was ordered to be printed for the use of the Senate.

On motion of Mr. SNEAD, the Senate adjourned until to-morrow, twelve o'clock.

WEDNESDAY, FEBRUARY 5, 1896.

Mr. LOVENSTEIN, President *pro tem.*, in the chair.

Journal of yesterday read by the clerk.

A communication from the House of Delegates, by their clerk, was read by the clerk as follows:

In House of Delegates, February 4, 1896.

The House of Delegates has passed Senate bills entitled an act to incorporate the True Friend Aid Society, No. 250; an act to authorize J. E. Blakemore, J. C. Towles, and V. E. Towles, or any one of them, to erect a pier in the Rappahannock river near Towles Point, No. 347; an act to authorize the county school board of Nelson county to apportion the district school tax levied upon railroad and telegraph companies, No. 324; an act to enable the county of Stafford to replace its bonds bearing 6 per cent. interest with bonds bearing 5 per cent. interest, and to authorize the issue of said bonds bearing interest at 5 per cent., No. 451; and an act to amend sec-

- ✓ tion 2 of a charter granted to the John G. Hurkamp Company on the 7th day of August, 1895, by the judge of the circuit court of Fredericksburg in vacation, and to confirm and approve and ratify such charter, as amended, and all its provisions, No. 455.
- ✓ They have agreed to the amendments of the Senate to House bill entitled an act to prevent the extermination of game in the counties of Orange, Culpeper, Louisa, Spottsylvania, King George, and Stafford, and the protection of the same, No. 115.
- ✓ They have rejected Senate bill entitled an act to amend and re-enact section 18 of chapter 2 of an act entitled an act to provide for the assessment of taxes on persons, property, and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is required, approved March 6, 1890, No. 405.

In which bills they request the concurrence of the Senate.

Mr. SANDS, from the committee on general laws, reported without amendment,

- ✓ No. 84, House bill to regulate the sale of goods marked "sterling," sterling silver or coin silver, and to regulate the sale of merchandise made of gold.

And he, from the same committee, reported with a substitute,

- ✓ No. 390, Senate bill for the relief of W. J. Sproles.

Mr. WICKHAM, from the committee on finance and banks, reported with recommendation that it be referred to the committee on fish and game,

- ✓ No. 471, Senate bill to regulate and promote the oyster industry of the Commonwealth, and to raise revenue therefrom by providing for the collection of all fees, fines, taxes, rents and all other moneys arising, created, or accruing under any of the laws of the Commonwealth in relation to such industry, and to abolish the office of inspector of oysters.

- ✓ The recommendation of the committee agreed to, and it was ordered to be so referred.

And he, from the same committee, reported with recommendation that it be referred to the committee on fish and game,

- ✓ No. 501, Senate bill to amend and re-enact section 1 and to repeal section 2 of an act entitled an act to regulate and protect the crabbing industry, and to prohibit non-residents from catching crabs in the waters of Virginia, approved March 7, 1894, and to add independent sections thereto.

The recommendation of the committee agreed to, and it was ordered to be so referred.

Mr. WICKHAM, from the committee on finance and banks, reported with an amendment,

✓ No. 372, Senate bill providing for the transfer to the credit of the Commonwealth of the balance of the interest which accumulated on the direct tax fund in the hands of the State depositors, after paying any unpaid expenses in connection therewith.

He, from the same committee, reported with an amendment,

✓ No. 409, Senate bill for the relief, under conditions, of William Mayo, late treasurer of Westmoreland county, and his sureties, to the extent of payment of interest in excess of six per cent.

He, from the same committee, reported without amendment,

✓ No. 184, House bill allowing Jos. T. Fudge, treasurer of Alleghany county, further time to distrain, levy, and collect certain tax tickets and license taxes for which he has accounted to the State.

He, from the same committee, reported without amendment,

✓ No. 195, House bill to constitute capitation tax a lien upon real estate owned by the person at the time such capitation tax is assessed.

He, from the same committee, reported without amendment,

✓ No. 196, House bill for the relief of W. H. Perkins, treasurer of the county of Middlesex, and to authorize the auditor of public accounts to credit said treasurer with lost school warrants.

He, from the same committee, reported without amendment,

✓ No. 221, House bill for extending the time for collection of certain taxes and levies by the treasurer of Fluvanna county and his deputies.

He, from the same committee, reported with amendments,

✓ No. 222, House bill to impose a tax on collateral inheritances and regulate the collection of same.

He, from the same committee, reported without amendment,

✓ No. 223, House bill for extending the time for collection of certain taxes and levies by the treasurer of Goochland county and his deputies.

He, from the same committee, reported without amendment,

✓ No. 254, House bill to allow J. N. Eason, of Norfolk county, further time in which to collect certain tax tickets in his hands not returned delinquent.

He, from the same committee, reported without amendment,

✓ No. 257, House bill for the relief of N. T. Sedwick, B. F. Stricker, and Frank Phillips, deputy treasurers of W. O. Yager, of Page county.

He, from the same committee, reported without amendment,

✓ No. 258, House bill to allow V. B. Gilmer, treasurer of Russell county, further time for collecting uncollected taxes in Russell county.

He, from the same committee, reported without amendment,

✓ No. 259, House bill to allow E. W. Maxwell, treasurer of Wise county, and his deputies, power of levy and distress to collect certain uncollected tax tickets now in his hands.

He, from the same committee, reported without amendment,

✓ No. 288, House bill to give Claudius Humphries, late deputy treasurer of Lancaster county, power of levy and distress to collect certain uncollected tax tickets in his hands.

He, from the same committee, reported without amendment,

✓ No. 289, House bill to extend the time for collecting taxes in Roanoke city and Roanoke county.

He, from the same committee, reported with an amendment,

✓ No. 307, House bill for the relief of John R. Read, late treasurer of Northampton county.

He, from the same committee, reported without amendment,

✓ No. 308, House bill to allow the treasurer of Washington county additional time to levy and collect tax tickets held by said treasurer and not returned delinquent.

He, from the same committee, reported without amendment,

✓ No. 309, House bill to allow J. W. Bonner, treasurer of Bath county, further time to distrain, levy, and collect certain tax tickets and license taxes for which he has accounted to the State.

He, from the same committee, reported without amendment,

✓ No. 310, House bill to allow William Mayo and his deputy, further time to collect tax tickets now in their hands.

And he, from the same committee, reported without amendment,

✓ No. 311, House bill allowing James M. Colly, late treasurer of Dickenson county, and his deputies, further time for collecting uncollected taxes in Dickenson county.

Mr. JONES, by leave, presented

✓ No. 511, Senate bill to authorize the county superintendent of schools of Rockbridge county to apportion the district school tax levied upon railroad and telegraph companies; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. SNEAD, by leave, presented

✓ No. 512, Senate bill to incorporate the Southeastern and Atlantic Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MORRIS, by leave, presented

✓ No. 513, Senate bill to amend and re-enact an act approved February 28, 1894, entitled an act to amend and re-enact section 10 of an act entitled an act to incorporate the Chesapeake and West Virginia Railroad Company, approved February 16, 1892; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MORRIS, by leave, presented

✓ No. 514, Senate bill to incorporate the Virginia and Northwestern Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. TREDWAY (by request), by leave, presented

✓ No. 515, Senate bill to amend and re-enact section 819 of the Code of Virginia in relation to county, city and district officers; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

✓ Mr. MASON, by leave, presented

No. 516, Senate bill prescribing the pay of the harbor master of Carter's Creek, in Lancaster county; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

✓ Mr. MASON, by leave, presented

No. 517, Senate bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 2257 of the Code in relation to divorces, approved February, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MASON, by leave, presented

✓ No. 518, Senate bill for the relief of Thomas S. King, of Westmoreland county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BUCHANAN, by leave, presented

✓ No. 519, Senate bill to incorporate the Stonewall Jackson Institute at Abingdon, Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. HAY, by leave, presented,

✓ No. 520, Senate bill to amend and re-enact section 1 of an act entitled an act to provide for the time of holding terms of court in the sixth judicial circuit of Virginia, approved February 27, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WILLIAMS, by leave, presented

✓ No. 521, Senate bill to amend the charter of the town of Keyville, Charlotte county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. LE CATO (by request), by leave, presented

✓ No. 522, Senate bill to amend and re-enact section 1 of an act to amend and re-enact sections 2083, 2084 and 2085 of the Code of Virginia in relation to fishing with pound nets in the waters on the eastern side of Chesapeake Bay; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. LE CATO (by request), by leave, presented

✓ No. 523, Senate bill to incorporate the Broadwater Association;

which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

The following Senate bills were read the third time and passed with their titles:

- ✓ No. 460, Senate bill to amend and re-enact sections 5 and 20 of an act entitled an act to incorporate the town of Berkley, in the county of Norfolk, approved March 13, 1890.
- ✓ No. 422, Senate bill to amend and re-enact sections 2 and 10 of an act entitled an act to protect sheep and other stock in the counties of Accomac and Northampton, approved February 7, 1894.
- ✓ No. 84, Senate bill to have the boundaries of certain natural oyster beds, rocks and shoals in Mathews county surveyed and plats made of the same.
- ✓ No. 261, Senate bill to repeal section 3433, Code of Virginia, requiring clerks of circuit and corporation courts to file in papers of cause, copies of decrees and orders made therein, after noting, comparing and marking them; their fees.
- ✓ No. 345, Senate bill to amend and re-enact section 3320 of the Code of Virginia in reference to the duties of commissioners in chancery.
- ✓ No. 34, Senate bill to prohibit any fire insurance company, incorporated or licensed in this State, from issuing a policy or policies of insurance on any single risk for more than ten per cent. of its capital stock and assets; or, if a mutual company, for more than five per cent. of its cash assets; and providing the penalty for so doing.
- ✓ No. 318, Senate bill to incorporate the Interstate Railroad Company.
- ✓ No. 478, Senate bill to incorporate the Norfolk and Newport News Ferry Company.
- ✓ No. 423, Senate bill to ratify, confirm and approve charters incorporating joint stock companies granted by the circuit or corporation courts of this State, or by the judge of any such court in vacation, in which the capital stock is not in excess of ten thousand dollars, and the directors, including president, are fixed at three.
- ✓ No. 353, Senate bill to repeal an act entitled an act to incorporate the town of Mendota, in the county of Washington, approved December 19th, 1889.
- ✓ No. 493, Senate bill to amend and re-enact the third section of an act to incorporate the Berkley Street Railway Company, and to authorize it to dispose of so much of its electric power as it may not need for the propulsion of its cars.
- ✓ No. 494, Senate bill to amend and re-enact section 4 of an act entitled an act to provide for the establishment of a high school at Bedford City, and to take the sense of the qualified voters of the municipal and Liberty districts of Bedford county thereon, approved January 23rd, 1896.

- ✓ No. 495, Senate bill to incorporate the Home Mutual Insurance Company of Virginia.
- ✓ No. 477, Senate bill to amend and re-enact section 3153 of the Code of Virginia in reference to juries in civil cases.
- ✓ No. 499, Senate bill to incorporate the Blue Ridge Club.
- ✓ No. 286, Senate bill for the relief of W. H. Ewing, treasurer of Prince Edward county, was taken up, read the third time, and passed with its title by the following vote—ayes, 25; noes, none.

AYES—Messrs. Brown, Buchanan, Clement, Echols, Flanagan, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jordan, Kane, Keezell, Lovenstein, Lowry, Mason, Morris, Parr, Sands, Snead, Southall, Stubbs, Tredway, Turnbull, and Williams—25.

NOES—None.

- ✓ No. 401, Senate bill to authorize the board of public works to accept certain bonds in payment of the indebtedness of Emory and Henry College to the commonwealth of Virginia, was taken up, read the third time, and passed with its title by the following vote—ayes, 27; noes, none.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Green, Hay, E. H. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Lovenstein, Lowry, Morris, Parr, Sands, Snead, Southall, Stubbs, Tredway, Turnbull, and Wickham—27.

NOES—None.

- ✓ The special order of to day, being a joint resolution for the relief of J. G. Field, was taken up, and rejected by the following vote—ayes, 18; noes, 10.

AYES—Messrs. Brown, Buchanan, Flanagan, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Keezell, LeCato, Lovenstein, Lowry, Mason, Morris, Parr, Sands, Snead, and Wickham—18.

NOES—Messrs. Claytor, Clement, Echols, Flood, Jones, Jordan, Kane, Tredway, Turnbull, and Williams—10.

- ✓ On motion of Mr. FLOOD, the vote by which the joint resolution was rejected was reconsidered.
- ✓ And on motion of Mr. SANDS, the further consideration of the bill was passed by.

The following report was taken up as unfinished business:

- ✓ *To the General Assembly of Virginia:*

The committee to whom was referred the charges of J. L. Randolph, Esq., made against the Deaf, Dumb and Blind Institute, of Staunton, respectfully submit the following report and recommendations:

Your committee commenced the investigation on January 27th,

✓ and up to this time have examined eighteen witnesses. Your committee have been requested by J. L. Randolph to summon fifty witnesses to testify, and we have not been informed how many witnesses will be summoned for the defense. Your committee is of the opinion that a most thorough investigation should be made, and ample opportunity given all parties to testify. It is impossible for this committee to attend to this investigation properly and attend to their other legislative duties. Your committee, therefore, recommend that the investigation be suspended until the Legislature adjourns, and that authority be given your committee to prosecute the investigation, with power to send for persons and papers, and when a conclusion is reached, the report be submitted to the Governor of Virginia, and authority be given to the Governor to take such steps as he may deem best, should the report of your committee require it.

Further, your committee is pronounced in the opinion that this investigation should be made as soon as possible after adjournment of the Legislature.

February 3, 1896.

J. N. STUBBS,
Chairman of Joint Committee.

✓ On motion of Mr. LOVENSTEIN the following amendment to the report was proposed :

✓ While the General Assembly fully appreciates the arduous labors of the committee to which was referred the charges of J. L. Randolph, made against the Deaf, Dumb and Blind Institute, of Staunton, and that they will be required to neglect other duties in the interest of their immediate constituents, yet, the gravity of the case requires that this matter should be disposed of at this session of the General Assembly.

✓ Resolved, That the committee continue its investigation, so as to submit their report in time to be acted on at this session.

On motion of Mr. FLANAGAN the following amendment to the amendment was proposed :

Add at the end of the amendment offered by Mr. LOVENSTEIN the following :

Resolved, The said committee shall be of opinion that their duties can be satisfactorily performed before the end of the session of the General Assembly, which was rejected.

✓ The vote then recurring on the amendment proposed by Mr. LOVENSTEIN, it was adopted.

Mr. LOVENSTEIN being in the chair, on motion of Mr. SANDS, he was ordered to inform the House of Delegates thereof.

✓ No. 149, Senate bill to amend and re-enact section 3680 of the Code of Virginia in regard to rape and its punishment, was taken up, and on motion of Mr. MORRIS, was passed by.

✓ No. 446, Senate bill to amend and re-enact sections 4071, 4074, and 4075 of the Code of Virginia, in relation to the confinement

in jail, and release therefrom, of persons sentenced or directed by a court or justice to be confined therein in default of the payment of a fine, or fine and costs, or costs be paid, and the release from jail of persons in jail under a *capias pro fine*, was taken up, read the third time, and, on motion of Mr. TURNBULL, passed by.

No. 17, Senate bill to amend and re-enact section 5 of an act of the General Assembly of Virginia, approved February 12, 1894, entitled an act to establish the Law and Equity Court of the city of Richmond, and to define its jurisdiction and relation to the other courts of said city, was taken up, read the third time, and on motion of Mr. LOVENSTEIN, passed by.

No. 483, Senate bill to commission officers of cadets of the Danville Military Institute, Pittsylvania county, was taken up, read the third time, and on motion of Mr. BOYKIN, passed by.

No. 263, House bill entitled an act to amend and re-enact section 1492 of the Code of Virginia, 1887, in relation to the attendance of children in public schools, was taken up, read the third time, and on motion of Mr. CLEMENT, was passed by.

Mr. MORRIS by leave presented the following petition of R. H. Fife, and sixty others, praying the passage of House bill, No. 160, which, on his motion, was referred to the committee on general laws.

On motion of Mr. FLOOD, the Senate adjourned until to-morrow, twelve o'clock.

THURSDAY, FEBRUARY 6, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. B. H. Dennis.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In the House of Delegates, February 5, 1896.

The House of Delegates has passed Senate bill entitled an act to permit Dr. W. M. Chatham to practice dentistry in Virginia, No 160.

They have agreed to the report of the committee of conference appointed to consider the disagreeing votes of the two houses on House amendments to Senate bill making it unlawful for insurance companies not incorporated by the laws of Virginia, but legally admitted to do business therein, &c., No. 159.

They have passed House bills entitled an act empowering the board of supervisors of Buchanan county to increase the salary of the judge of the county court of said county, No. 243; an act em-

✓ powering the board of supervisors of Dickenson county to increase the salary of the judge of the county court of said county, No. 244; an act for compensation of Wm. S. Jones and Wm. T. Daougherty for services beyond the time allotted by law in assessing the lands of Elizabeth City county, No. 312; an act for the relief of the Orient Company, of Hartford, Conn., No. 317; an act to allow the briefs or notes of argument filed in any case in any court to be either in printed or type-written form, No. 348; an act to authorize the board of supervisors of the county of Lunenburg to borrow six thousand dollars to put the county on a cash basis, No. 350; an act to authorize the president and faculty of Luray College, Luray, Va., to confer certificates of distinction and to award diplomas, No. 353; an act to incorporate the Southern Branch Drawbridge Company, No. 356; an act to amend and re-enact section 15 of an act entitled an act to incorporate the town of Crewe, in the county of Nottoway, approved March 3, 1894, No. 359; an act to amend and re-enact certain sections of the charter of the town of Culpeper, No. 363; an act to allow W. P. Wilson and W. T. Fergusson to erect a pier or wharf at Fergusson's wharf, on James river, No. 364; and an act prescribing rules which shall govern the appellate courts of the State of Virginia in considering application for and granting of new trials in criminal cases, No. 267.

In which bills they request the concurrence of the Senate.

- ✓ No. 243, House bill entitled an act empowering the supervisors of Buchanan county to increase the salary of the judge of the county court of said county, was taken up, twice read, and referred to the committee on county, city, and town organizations.
- ✓ No. 244, House bill entitled an act empowering the board of supervisors of Dickenson county to increase the salary of the judge of the county court of said county, was taken up, twice read, and referred to the committee on county, city, and town organizations.
- ✓ No. 312, House bill entitled an act for compensation of William S. Jones and William T. Daougherty, for services beyond the time allotted by law in assessing the lands of Elizabeth City county, was taken up, twice read, and referred to the committee on county, city, and town organizations.
- ✓ No. 317, House bill entitled an act for the relief of the Orient Company, of Hartford, Conn., was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 348, House bill entitled an act to allow the briefs or notes of argument filed in any case in any court to be either in printed or typewritten form, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 350, House bill entitled an act to authorize the board of supervisors of the county of Lunenburg to borrow \$6,000 to put the county on a cash basis, was taken up, twice read, and on mo-

tion of Mr. TURNBULL, (the rules being suspended therefor) placed on the calendar.

✓ No. 353, House bill entitled an act to authorize the president and faculty of Luray College, Luray, Va., to confer certificates of distinction and to award diplomas, was taken up, twice read, and referred to the committee on public institutions and education.

✓ No. 356, House bill entitled an act to incorporate the Southern Branch Drawbridge Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 359, House bill entitled an act to amend and re-enact sections 2 and 15 of an act entitled an act to incorporate the town of Crewe, in the county of Nottoway, approved March 3, 1894, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 363, House bill entitled an act to amend and re-enact certain sections of the charter of the town of Culpeper, was taken up, twice read, and on motion of Mr HAY, (the rules being suspended therefor) placed on the calendar.

✓ No. 364, House bill entitled an act to allow W. P. Wilson and W. T. Fergusson to erect a pier or wharf at Fergusson's wharf, in James river, was taken up, twice read, and on motion of Mr. BOYKIN, (the rules being suspended therefor) placed on the calendar.

✓ No. 267, House bill entitled an act prescribing rules which shall govern the appellate courts of the State of Virginia in considering applications for and the granting of new trials in criminal cases, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 33, Senate bill to incorporate the Fredericksburg Telephone Company, was taken up, and the amendments proposed by the House of Delegates agreed to.

Mr. BARNES, by leave, presented

✓ No. 524, Senate bill to incorporate the Richmond, Newport News, and Norfolk Telephone Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BARNES, by leave, presented

✓ No. 525, Senate bill to protect fish in the waters of the James river and its tributaries below the head of tidewater; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. MUSHBACH, by leave, presented

✓ No. 526, Senate bill to repeal an act entitled an act making it unlawful for insurance companies, not incorporated by the laws of the State of Virginia, but legally admitted to do business therein, to place, or cause to be placed, insurance on property in this State, in offices outside of the State, in violation of the tax laws of the State of Virginia, and prescribing penalties for violation of the same, and prescribing the duties and compensation of the auditor

of public accounts in relation thereto; and providing for renewal of license privileges of companies doing business in this State which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. HALE (by request), by leave, presented

✓ No 527, Senate bill when judge of county or corporation court fails, &c., to hold same, what judge may do so, when governor to designate judge to do so, his pay and mileage; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. LITTLE (by request), by leave, presented

✓ No. 528, Senate bill to incorporate the National Adjustment Society; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. FLANAGAN, by leave, presented

✓ No. 529, Senate bill to authorize the county of Powhatan to compound and settle certain outstanding bonds of that county, and to borrow money for the purpose, and to issue bonds for the same which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. GREEN, by leave, presented

✓ No. 530, Senate bill to eradicate the San Jose or pernicious scale a disease affecting fruit trees, and to prevent its spread; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on agriculture, mining and manufacturing.

Mr. TREDWAY, by leave, presented

✓ No 531, Senate bill to amend and re-enact section 15 of an act entitled an act to charter and incorporate the town of Neapolis, in the county of Pittsylvania, Va., approved March 2, 1894; which on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. TREDWAY (by request), by leave, presented

✓ No. 532, Senate bill to amend and re-enact section 3191 of the Code of Virginia, relating to the licensing of persons to practice law in this State, as amended and re-enacted by an act approved February, 1892, and by an act approved January 11th, 1896 which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. STUBBS, for Mr. FLOOD, from the committee on fish and game reported with amendments,

✓ No. 84, House bill to prevent the extermination of game in the counties of Fauquier and Loudoun.

He, from the same committee, reported with a substitute,

✓ No. 70, House bill to protect deer, partridges (quail), song-bird wild turkeys, squirrels, hares and wild ducks, in the county of King William.

He, from the same committee, reported with amendments,

- ✓ No. 82, House bill to amend the law for the protection of game in Frederick county, Va.

He, from the same committee, reported with an amendment,

- ✓ No. 117, House bill to repeal an act for the better protection of game in Nansemond county, relative to killing of rabbits or hares.

He, from the same committee, reported with amendments,

- ✓ No. 140, House bill to prevent the extermination of game in Clarke county.

He, from the same committee, reported with an amendment,

- ✓ No. 155, House bill to protect partridges (or quail), pheasants and wild turkeys in the county of Montgomery.

He, from the same committee, reported with amendments,

- ✓ No. 191, House bill for the protection of game in the county of Prince William.

He, from the same committee, reported with an amendment,

- ✓ No. 208, House bill to protect rabbits or hares, and deer, in the county of Chesterfield.

He, from the same committee, reported with an amendment,

- ✓ No. 240, House bill to amend and re enact an act approved March 7, 1894, entitled an act to amend and re-enact an act entitled an act to protect game in the county of King and Queen, approved Jan. 31, 1890.

He, from the same committee, reported with amendments,

- ✓ No. 30, House bill for the protection of game and song-birds in the counties of Buckingham and Cumberland.

He, from the same committee, reported with an amendment,

- ✓ No. 252, House bill to amend and re-enact an act entitled an act for the protection of fish in Pig river and Blackwater, approved February 27, 1894.

He, from the same committee, reported with amendments,

- ✓ No. 304, House bill to protect fish in the York, Mattaponi and Pamunkey rivers, by preventing fishing with any fixed device in said rivers, except gill stake-nets in water over certain depths, and to amend and re-enact an act approved March 2, 1894, entitled an act to protect fish in the Mattaponi, Pamunkey and York rivers.

He, from the same committee, reported without amendment,

- ✓ No. 487, Senate bill to repeal an act entitled an act relating to the unlawful hunting of deer in the county of Charles City, approved February 7, 1894.

He, from the same committee, reported without amendment,

- ✓ No. 488, Senate bill for the protection of deer and wild turkeys in the counties of New Kent and Charles City.

And he, from the same committee, reported with amendments,

- ✓ Joint resolution relating to the protection of the rights of persons fishing in the Potomac river.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported without amendment,

- ✓ No. 296, Senate bill to amend and re enact sections 4, 52, and 54

of an act to amend and re-enact the charter of the town of Martinsville, in the county of Henry, approved March 3, 1892, so as to provide for the election of sergeant by the qualified voters of said town.

✓ On motion of Mr. HALE, three days leave of absence for Mr. G. W. JACKSON was granted.

✓ On motion of Mr. BUCHANAN, five days leave of absence for Mr. ST. CLAIR was granted.

✓ A message was received from the House of Delegates by Mr. HARWOOD, who informed the Senate that that House had passed Senate bill No. 154, with an amendment.

On motion of Mr. JONES, the bill as amended was at once taken up, and the Senate refused to concur in the amendment; and on his further motion, he was ordered to inform the House of Delegates thereof,

✓ The special order for to-day being a substitute for Senate bill No. 113, to create the office of insurance commissioner and prescribe his duties and powers, etc., was taken up, and Mr. TREDWAY moved to make the salary of the office \$1,500 instead of \$2,000, which was rejected by the following vote—ayes, 9; noes, 17.

AYES—Messrs. Barnes, Brown, Claytor, Clement, Hale, Keezell, Parr, Tredway, and Turnbull—9.

NOES—Messrs. Boykin, Buchanan, Echols, Fairfax, Green, Hay, Jordan, Kane, Little, Lovenstein, Lowry, Mason, Sands, Snead, Wickham, Williams, and Withers—17.

The committee's amendments were then agreed to.

✓ On motion of Mr. MASON, the bill was further amended.

On motion of Mr. SANDS, the bill was further amended and agreed to.

On motion of Mr. FAIRFAX, the vote by which the committee's amendments were agreed to was reconsidered; and on his further motion, the committee's amendments were further amended and agreed to.

Mr. LOVENSTEIN presented a substitute for the bill and substitute.

✓ Mr. BROWN moved to recommit the bills and substitute to the committee, which was defeated by the following vote—ayes, 14; noes, 14—the PRESIDENT casting the deciding vote in the negative:

AYES—Messrs. Barnes, Brown, Claytor, Clement, Echols, Fairfax, Hale, Keezell, Lovenstein, Parr, Stubbs, Tredway, Turnbull, and Wickham—14.

NOES—Messrs. Boykin, Green, Hay, Jones, Jordan, Kane, Little, Lowry, Mason, Morris, Sands, Snead, Williams, and Withers—14.

Mr. PRESIDENT votes No.

✓ On motion of Mr. STUBBS, the further consideration of the bill to-day was passed by, and the substitute proposed by Mr. LOVENSTEIN ordered to be printed.

✓ No. 149, Senate bill to amend and re-enact section 3680 of the

Code of Virginia in reference to rape and its punishment, was taken up, and by unanimous consent Mr. TREDWAY amended the bill by inserting fourteen years in place of fifteen years, and the bill as amended was passed with its title by the following vote—ayes, 20; noes, 10.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Hay, Jones, Jordan, Kane, Keezell, Little, Mason, Mushbach, Snead, Stubbs, Tredway, Williams, and Withers—20.

NOES—Messrs. Fairfax, Flanagan, Hale, Lovenstein, Lowry, Morris, Parr, Sands, Turnbull, and Wickham—10.

No. 505, Senate bill to provide for the protection of domestic animals, and to authorize and empower the Board of Control of the Experiment Station of the Virginia Agricultural and Mechanical College at Blacksburg to establish live stock quarantine lines, rules and regulations, and to prescribe penalties for violating the same, was taken up, and on motion of Mr. JONES read the second time and ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), was read the third time and passed with its title by the following vote—ayes, 29; noes, none.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Fairfax, Flanagan, Green, Hale, Hay, Jones, Jordan, Kane, Keezell, Little, Lovenstein, Lowry, Mason, Morris, Mushbach, Sands, Snead, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—29.

NOES—None.

No. 479, Senate bill to constitute the town of Leesburg and adjoining territory a separate school district, and to authorize the council of said town to appoint or elect the school trustees for said district, was taken up, and unanimous consent was given Mr. FAIRFAX to amend the bill, which, on his motion, was amended and agreed to; and on his further motion, read the third time as amended, and passed with its title.

No. 196, Senate bill to constitute the railroad commission a court of record, was taken up, and on motion of Mr. TURNBULL, passed by and made a special order for Friday, February 14, at 1 o'clock. Agreed to.

No. 446, Senate bill to amend and re-enact sections 4071, 4074, and 4075 of the Code of Virginia in relation to the confinement in jail, and release therefrom of persons sentenced or directed by a court or justice to be confined therein in default of the payment of a fine, or fine and costs, or costs, where there is no fine; or until such fine, or fine and costs, or costs, be paid and the release from jail of persons in jail under *capias pro fine*, was taken up, and on motion of Mr. TURNBULL, passed by.

No. 483, Senate bill to commission officers of cadets of the Dan-

✓ ville Military Institute, Pittsylvania county, was taken up, and on motion of Mr. BOYKIN, the vote by which the bill was ordered to be engrossed, was reconsidered; and on his further motion the bill was amended, and as amended, ordered to be engrossed and read a third time.

✓ No. 17, Senate bill to amend and re-enact section 5 of an act of the General Assembly of Virginia, approved February 12, 1894, entitled an act to establish the law and equity court of the city of Richmond, and to define its jurisdiction and relation to the other courts of said city, was taken up, and on motion of Mr. LOVENSTEIN, passed by.

On motion of Mr. LITTLE, the Senate adjourned until to-morrow, twelve o'clock.

FRIDAY, FEBRUARY 7, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. J. S. Dill.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates, by their clerk, was read as follows:

In House of Delegates, February 6, 1896.

✓ The House of Delegates has passed Senate bills entitled an act to authorize the collector of city taxes and levies for the city of Fredericksburg to furnish a list of real estate delinquent for the non-payment of such taxes to the city treasurer for sale for such taxes and to authorize such collector to otherwise enforce the collection of city taxes and levies in the same manner as the collection of State taxes is enforced by the treasurer of said city, No. 437; an act to define a lawful fence for the county of Princess Anne, No. 476; and an act to authorize the common council of the city of Fredericksburg to execute and deliver the bonds of said city for ten thousand dollars to the Assembly's Home and School at Fredericksburg, Va., and to authorize that corporation, in consideration thereof, to provide instruction to certain pupils of free schools of said city, No. 480; an act to amend and re enact the 14th section of an act entitled an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing, and to repeal chapter 185 of the Acts of Assembly of 1879-'80, approved May 23, 1887, No. 263; an act to amend and re enact section 8 of an act entitled an act to incorporate the Ohio River and Charleston Railroad Company as the successor of the Charleston, Cincinnati and Chicago Railroad Company, approved February 12, 1894, No. 354; and an act to incorporate the Blue Ridge Club, No. 499.

✓ They have rejected Senate bill entitled an act to authorize and

✓ provide for a special election in the county of Wise as to the removal of the courthouse of said county, No. 432.

✓ They have agreed to the amendment of the Senate to House bill entitled an act to amend and re-enact section 2486 of the Code of 1887, as amended by an act to amend and re-enact sections 2485 and 2486 of the Code of Virginia, in relation to the lien of employees, &c., of transportation, mining and manufacturing companies, on franchises and property of said companies, and how the same may be perfected and enforced, approved February 15, 1892, No. 186.

✓ They have agreed to the resolution of the Senate in relation to continuing the investigation as to the Deaf, Dumb and Blind Institute at Staunton.

✓ They have passed House bills entitled an act for the relief of B. F. Rowles, No. 365; an act for the relief of W. P. McGinnis, a dentist of Grayson county, No. 366; an act for the relief of J. M. Hill, No. 367; an act for the relief of James L. Grant, a dentist of Washington county, Va., No. 368; an act for the relief of John H. Rennie, a dentist of Washington county, Va., No. 369; an act for the relief of Dr. S. H. Spear, No. 370; an act for the relief of Wm. E. Teasley, a dentist, No. 371; an act to dispense with formal warrants in certain cases before the police justices and justices of the peace, No. 379; an act to improve the main thoroughfares of the county of Orange, No. 388; an act to amend and re-enact section 2844 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend section 2844 of the Code of Virginia, in relation to public holidays, approved February 28, 1890, as amended and re-enacted by an act entitled an act to amend and re-enact section 2844 of the Code of Virginia, as amended and re-enacted by an act to amend section 2844 of the Code of Virginia, in relation to public holidays, approved February 5, 1892, No. 389; an act to provide a new charter for the Iron Belt Building and Loan Association of Roanoke, Va., No. 391; an act to incorporate the Fairmont Traction Company, No. 394; and an act to amend the charter of the Mercantile Publishing Company of Norfolk City, No. 400.

In which bills they respectfully request the concurrence of the Senate.

✓ No. 365, House bill entitled an act for the relief of Dr. B. F. Rowles, was taken up, twice read, and referred to the committee on general laws.

✓ No. 366, House bill entitled an act for the relief of W. P. McGinnis, a dentist of Grayson county, was taken up, twice read, and referred to the committee on general laws.

✓ No. 367, House bill entitled an act for the relief of J. M. Hill, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 368, House bill entitled an act for the relief of James L.

Grant, a dentist of Washington county, Virginia, was taken up, twice read, and referred to the committee on general laws.

✓ No. 369, House bill entitled an act for the relief of John H. Rennie, a dentist of Washington county, Virginia, was taken up, twice read, and referred to the committee on general laws.

✓ No. 370, House bill entitled an act for the relief of Dr. S. H. Speir, was taken up, twice read, and referred to the committee on general laws.

✓ No. 371, House bill entitled an act for the relief of William E. Teasley, dentist, was taken up, twice read, and referred to the committee on general laws.

✓ No. 379, House bill entitled an act to dispense with formal warrants in certain cases before the police justices and justices of the peace, was taken up, twice read, and referred to the special committee on criminal expenses.

✓ No. 388, House bill entitled an act to improve the main thoroughfares of the county of Orange, was taken up, twice read, and referred to the committee on county, city, and town organizations.

✓ No. 389, House bill entitled an act to amend and re-enact section 2844 of the Code of Virginia as amended and re-enacted by an act entitled an act to amend section 2844 of the Code of Virginia in relation to public holidays, approved February 28, 1890, as amended and re-enacted by an act entitled an act to amend and re-enact section 2844 of the Code of Virginia as amended and re-enacted by an act to amend section 2844 of the Code of Virginia in relation to public holidays, approved February 5, 1892, was taken up, twice read, and on motion of Mr. SANDS, (the rules being suspended therefor) placed on the calendar.

✓ No. 391, House bill entitled an act to provide a new charter for the Iron Belt Building and Loan Association, of Roanoke, Virginia, was taken up, twice read, and on motion of Mr. Lowry, (the rules being suspended therefor) placed on the calendar.

✓ No. 394, House bill entitled an act to incorporate the Fairmount Traction Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 400, House bill entitled an act to amend the charter of the Mercantile Publishing Company, of Norfolk city, was taken up, twice read, and on motion of Mr. HALE, (the rules being suspended therefor) placed on the calendar.

Mr. ECHOLS, for Mr. STUBBS, from committee on public institutions and education, reported with amendments,

✓ No. 380, Senate bill to amend an act to incorporate Shoemaker College, in Scott county, approved March 1, 1894.

Mr. JONES, from the committee for courts of justice, reported with recommendation that it do not pass,

✓ No. 300, Senate bill to repeal sections 1791, 1792, 1793, and 1794 of the Code of Virginia in reference to warehouse and storage receipts.

✓ He, from the same committee, reported with an amendment,
No. 301, Senate bill to amend and re-enact section 1792 of the Code of Virginia in relation to the issue of licensed warehouse and other licensed storage receipts, and to provide penalties in respect thereto.

✓ He, from the same committee, reported without amendment,
No. 302, Senate bill to amend and re-enact an act entitled an act to provide for the payment of debts due by commission merchants, approved February 27, 1894, and to provide remedies in respect thereto.

✓ He, from the same committee, reported with amendments,
No. 303, Senate bill in relation to fraudulent sale, negotiation, pledge, or hypothecation of licensed warehouse or other licensed storage receipts, and to provide punishment in respect thereto.

✓ He, from the same committee, reported with amendments,
No. 314, Senate bill to amend and re-enact section 1 of chapter 83 of the Acts of 1889 and 1890 in relation to the control of prisoners in jail.

✓ He, from the same committee, reported without amendment,
No. 392, Senate bill to amend and re-enact an act approved February 27, 1894, in relation to the power of the courts to order a suit in equity or action at law to abate as to any improperly joined plaintiff or defendant, and to proceed thereafter by or against the others as if such misjoiners had not been made, &c.

✓ He, from the same committee, reported without amendment,
No. 109, House bill to amend and re-enact section 3960 of the Code of Virginia with reference to bail in criminal cases, when allowed, and by whom.

✓ He, from the same committee, reported without amendment,
No. 171, House bill to amend and re-enact section 3034 of the Code of Virginia with reference to the judgment of a court or judge trying a writ of habeas corpus.

✓ And he, from the same committee, reported without amendment,
No. 178, House bill to protect sub-contractors, supply men, and laborers.

Mr. MUSHBACH, from the committee on county, city, and town organizations, reported without amendment,

✓ No. 24, House bill to establish public places of interment for the remains of citizens and residents of Tazewell county, Va.

✓ He, from the same committee, reported without amendment,

✓ No. 68, House bill to provide for working roads in Rappahannock county.

✓ He, from the same committee, reported without amendment,
No. 73, House bill to repeal an act entitled an act for the protection of sheep in Amherst county, approved March 2, 1894.

✓ He, from the same committee, reported without amendment,
No. 95, House bill to amend and re-enact the first section of an act entitled an act to authorize the supervisors of Amherst county

to issue bonds for the purpose of retiring outstanding bonds, approved February 24, 1888.

He, from the same committee, reported without amendment,

- ✓ No. 100, House bill to prescribe a fence law for part of Curdsville magisterial district, in the county of Buckingham.

He, from the same committee, reported without amendment,

- ✓ No. 152, House bill to authorize the council of the town of Salem, in Roanoke county, to issue new bonds of said town sufficient to retire the bonds issued for the construction of water works, and to transfer the lien of the deed of trust on said water-works, its franchises, etc., to the bonds to be issued under this act.

He, from the same committee, reported without amendment,

- ✓ No. 154, House bill to amend and re-enact an act approved February 1, 1894, entitled an act to provide for working the roads in Northampton county, approved March 2, 1892, as amended by an act approved February 23, 1894, and to add thereto an independent section.

He, from the same committee, reported without amendment,

- ✓ No. 181, House bill to amend and re-enact section 2 of an act entitled an act to amend and re-enact section 10 of an act entitled an act to incorporate the town of Hampton, in Elizabeth City county, Va., approved May 23, 1881, and to further amend and re-enact the said act by the adding of two additional sections thereto, to be known as sections 14 and 15 respectively, and to further amend and re-enact said act by changing the numbers of sections 14 and 15 in said act to 16 and 17 respectively, approved February 29, 1892.

He, from the same committee, reported with the recommendation that this bill do not pass.

- ✓ No. 218, House bill to authorize land owners to erect and maintain gates across private roads.

He, from the same committee, reported without amendment,

- ✓ No. 238, House bill to amend and re-enact section 5 of an act to create a board of excise commissioners for Alexandria county, approved March 2, 1894.

He, from the same committee, reported without amendment,

- ✓ No. 239, House bill to amend and re-enact section 1 of an act entitled an act to require the board of supervisors of Alexandria county to tax the sale of ardent spirits and malt liquors in said county, approved March 7, 1894.

He, from the same committee, reported without amendment,

- ✓ No. 279, House bill in reference to compensation of supervisors of Lee county, Virginia.

He, from the same committee, reported with amendments,

- ✓ No. 302, House bill to prohibit the running at large of horses, colts and hogs on the Valley turnpike in the county of Rockingham.

He, from the same committee, reported with amendments,

- ✓ No. 360, House bill entitled an act to amend and re-enact section 1 of an act authorizing the board of supervisors of each county in

the State to levy a tax on dogs, and to enforce collection of said tax with certain penalties in case of failure to pay the same, approved March 5, 1894.

He, from the same committee, reported without amendment,
✓ No. 428, Senate bill to authorize E. W. Warburton to erect a wharf, dock or pier on his tract of land, called "Fish House," in James City county, on James river.

And he, from the same committee, reported with a substitute,
✓ No. 482, Senate bill to amend and re enact section 50 of chapter 5 of the Acts of the General Assembly of 1885-'86, entitled an act to provide a new charter for the town of Wytheville, approved February 26, 1886.

Mr. SANDS, by leave, presented

✓ No. 533, Senate bill to amend and re-enact section 1842 of the Code, as amended and re-enacted by an act entitled an act to amend and re-enact section 1842 of the Code of Virginia in relation to sale by samplers and others of unclaimed tobacco in warehouses of the city of Richmond, and disposition of the proceeds, approved March 3, 1890; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MAYNARD, by leave, presented

✓ No. 534, Senate bill to incorporate the Portsmouth, Pig's Point and Newport News Railway, Ferry and Hotel Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. MAYNARD, by leave, presented

✓ No. 535, Senate bill to amend and re-enact sections 2 and 5 of an act approved May 6, 1887, entitled an act to incorporate the Portsmouth Street Railway Company, and to amend and re-enact sections 3 and 4 of an act approved May 6, 1887, to incorporate the Portsmouth Street Railway Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. BUCHANAN, by leave, presented

✓ No. 536, Senate bill to extend the time for the completion of the Virginia Western Coal and Iron Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. BUCHANAN, by leave, presented

✓ No. 537, Senate bill to amend and re enact section 46 of an act entitled an act to change the name of the town of Goodson to the city of Bristol, and to provide a new charter for same, approved February 29, 1892; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), was placed on the calendar.

Mr. BARNES (by request), by leave, presented

✓ No. 538, Senate bill for the relief of the sureties of John M. Dawson, late treasurer of James City county and the city of Williams-

✓ burg, and also granting to said John M. Dawson an extension of time within which to distrain for, levy and collect tax bills now in his hands; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. TREDWAY, by leave, presented

✓ No. 539, Senate bill to amend and re-enact an act entitled an act to authorize the board of supervisors of Pittsylvania county to issue bonds of said county for the purpose of raising money to pay off bonds of said county, approved February 7, 1894, as amended and regulated by an act approved December 20, 1895; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. MAYNARD, from the committee on library, etc., reported without amendment,

✓ No. 456, Senate bill to allow the joint library committee and the general librarian of the Commonwealth to permit the transfer of the duplicate volumes in the State Library to the library of the University of Virginia.

✓ The following preamble and joint resolution, presented by Mr. LOVENSTEIN, was taken up, agreed to, and, on his motion, he was ordered to inform the House of Delegates thereof:

✓ Whereas, By the munificence of George Peabody, the State of Virginia has received from the custodians of the fund left for educational purposes, a large amount of money, aggregating over \$300,000, which has materially aided the State in the education of teachers for the public schools of the State: and

✓ Whereas, The memory of George Peabody should be perpetuated by all true lovers of philanthropy and unselfish generosity;

✓ Resolved by the Senate (the House of Delegates concurring), That the governor be requested to enter into correspondence with the executives of the several Southern States, who have been the recipients of this bounty, with a view of taking some united action to perpetuate the memory of this distinguished philanthropist.

✓ Resolved, That the governor be requested, if possible, to report the result of his correspondence before the adjournment of the present session, with such recommendations as he may suggest.

✓ No. 483, Senate bill to commission officers of cadets of the Danville Military Institute, Pittsylvania county, was taken up, read the third time, and passed with its title.

✓ No. 446, Senate bill to amend and re-enact sections 4071, 4074, and 4075 of the Code of Virginia, in relation to the confinement in jail, and release therefrom, of persons sentenced or directed by a court or justice to be confined therein in default of the payment of a fine, or fine and costs, or costs where there is no fine; or until such fine or fine and costs, or costs, be paid, and the release from

jail of persons in jail under *capias pro fine*, was taken up, and on motion of Mr. LOWRY, passed by.

✓ No. 248, Senate bill to incorporate the Sabine Development Company, was taken up, and on motion of Mr. MORRIS, indefinitely postponed.

Substitute for

✓ No. 452, Senate bill to permit any railroad or transportation company which is or shall be authorized to use or lease any line of any other railroad or transportation company, or with which it shall have lawfully established connection, to acquire and hold real estate upon and near any such line or at or near any terminus,

✓ Being the special order of the day, was taken up, and Mr. HALE moved to pass by, which was rejected by the following vote—ayes, 5; noes, 22.

AYES—Messrs. Barnes, Clement, Hale, Turnbull, and Withers—5.

✓ NOES—Messrs. Boykin, Brown, Buchanan, Echols, Fairfax, Flanagan, Green, Hay, Jones, Jordan, Kane, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Sands, Tredway, Wickham, and Williams—22

✓ Mr. WITHERS made an unsuccessful motion to amend the substitute. The substitute was then agreed to by the following vote—ayes, 23; noes, 3.

✓ AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Fairfax, Green, Hay, E. H. Jackson, Jordan, Kane, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Sands, Tredway, Turnbull, and Wickham—23.

NOES—Messrs. Hale, Williams, and Withers—3.

✓ The substitute as agreed to was ordered to be engrossed and read a third time.

✓ No. 324, House bill entitled an act for the permanent improvement of roads in Stevensburg magisterial district of Culpeper county, and in such other districts as may adopt the same, was taken up, and on motion of Mr. HAY, the bill was amended, and as amended read the third time, and passed with its title.

✓ No. 245, House bill to revive, amend and re-enact an act entitled an act to incorporate the Portsmouth, Smithfield and Western Railway Company, approved March 2, 1892, as amended by an act entitled an act to amend and re-enact sections 1, 10 and 12 of an act entitled an act to incorporate the Portsmouth, Smithfield and Western Railway Company, approved March 2, 1892, and to add an independent section thereto, approved March 2, 1894, was taken up, read the third time, and passed with its title.

✓ No. 227, House bill to relieve Mrs. Catherine Sweeney from effects of erroneous taxation for the years 1892, 1893, 1894, and 1895, was taken up, and on motion of Mr. SANDS, passed by.

✓ No. 230, House bill to amend and re-enact section 164 of the Code of Virginia as amended and re-enacted by an act approved

February 15, 1894, in relation to allowing certain persons to hold State and United States offices, was taken up, read the third time, and on motion of Mr. SANDS, indefinitely postponed.

✓ No. 233, House bill to amend and re-enact section 3160 of the Code of Virginia in relation to the pay and mileage of jurors, was taken up, and on motion of Mr. TURNBULL recommitted to the committee for courts of justice.

✓ No. 281, House bill to repeal section 1916 of the Code of Virginia as amended and re-enacted by an act entitled an act to amend and re-enact section 1916 of the Code in relation to the duties of the sealer of weights and measures, approved February 9, 1892, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

✓ A message was received from the House of Delegates by Mr. BERKELEY, who informed the Senate that that House had passed House bill No. 335, entitled an act to provide a new charter for the city of Roanoke; which, on motion of Mr. LOWRY, was referred to the committee on county, city, and town organizations.

Mr. SANDS moved to adjourn, which was lost by the following vote—ayes, 11; noes, 14.

AYES.—Messrs Barnes, Boykin, Brown, Hale, Kane, Little, Lovenstein, Lowry, Mason, Maynard, and Sands—11.

NOES.—Messrs. Buchanan, Clement, Echols, Fairfax, Green, Hay, E. H. Jackson, Jordan, Morris, Mushbach, Tredway, Turnbull, Williams, and Withers—14.

✓ No. 275, House bill to amend and re-enact section 4144 of the Code of Virginia, entitled record to be kept of conduct of convicts; to have credit for good conduct, was taken up, read the third time, and passed with its title.

✓ No. 326, House bill to amend sections 1, 2, 8, and 11 of an act to incorporate the South Norfolk Street Railway Company, approved February 15, 1894, was taken up, read the third time, and passed with its title.

✓ No. 318, House bill to incorporate the Virginia State Firemen's Association, was taken up, and, on motion of Mr. ECHOLS, passed by.

✓ No. 337, House bill to enable the county of Stafford to replace its bonds bearing six per centum interest with bonds bearing five per centum interest, and to authorize the issue of said bonds bearing interest at five per centum, was taken up, and, on motion of Mr. LITTLE, indefinitely postponed.

✓ No. 352, House bill to amend and re-enact sections 5 and 20 of an act entitled an act to incorporate the town of Berkley, in the county of Norfolk, approved March 3, 1890, was taken up, read the third time, and passed with its title.

✓ No. 350, House bill to authorize the board of supervisors of the county of Lunenburg to borrow six thousand dollars to put the

county on a cash basis, was taken up, read the third time, and passed with its title.

✓ No. 355, House bill to maintain the credit of Norfolk county, and to authorize the treasurer of said county to borrow money, was taken up, read the third time, and passed with its title.

✓ No. 270, House bill in relation to unlawful detainer in the city of Alexandria, was taken up, committee's amendments agreed to, and, as amended, read the third time, and passed with its title.

On motion of Mr. MASON, the Senate adjourned until to-morrow at twelve o'clock.

SATURDAY, FEBRUARY 8, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. J. S. Dill.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, which was read as follows:

In the House of Delegates, February 7, 1896.

✓ The House of Delegates has receded from its amendment to Senate bill entitled an act to incorporate the Pacific Company, No. 154.

✓ They have passed Senate bill entitled an act for the relief of Fannie Grymes, No. 375.

✓ They have passed House engrossed bills entitled an act to prevent gambling and selling or making books, pools or mutuels within the Commonwealth of Virginia, No. 160; an act to authorize Z. R. Coats to erect a toll-bridge over the Piankitank river at Turk's ferry, in Middlesex county, No. 384; an act to amend and re-enact section 3653 of the Code of Virginia in reference to poor debtor's law, No. 402; and an act to amend and re-enact an act entitled an act to authorize the Chesapeake and Ohio Railway Company to construct, operate and maintain a branch or connecting line between its railroads in the counties of Goochland and Henrico, or either of them, approved January 31, 1890, so as, in addition to the powers authorized by said act, to enable the Chesapeake and Ohio Railway Company to construct, maintain, and operate additional lines of railway, in, through, or by the city of Richmond in conformity with any agreement which may hereafter be entered into between the Council of the city of Richmond and said Chesapeake and Ohio Railway Company, and in the county of Henrico, with power to the said Chesapeake and Ohio Railway Company to

- ✓ condemn any and all property, and rights, corporeal or incorporeal necessary to the exercise of the powers herein granted, No. 436.

In which bills they respectfully request the concurrence of the Senate.

- ✓ No. 384, House bill entitled an act to authorize Z. R. Coats erect a toll-bridge over the Piankitank river at Turk's ferry, was taken up, twice read, and referred to the committee for courts and justice.

- ✓ No. 160, House bill entitled an act to prevent gambling and selling or making books, pools, or mutuels within the Commonwealth of Virginia, was taken up, twice read, and referred to the committee for courts of justice.

- ✓ No. 402, House bill entitled an act to amend and re-enact section 3653 of the Code of Virginia in reference to poor debtor's law, was taken up, twice read, and on motion of Mr. STUBBS (the rules being suspended therefor), placed on the calendar.

- ✓ No. 436, House bill entitled an act to amend and re-enact an act entitled an act to authorize the Chesapeake and Ohio Railway Company to construct, operate, and maintain a branch or connecting line between its railroads in the counties of Goochland and Henrico, or either of them, approved January 31, 1890, so as, in addition to the powers authorized by said act, to enable the Chesapeake and Ohio Railway Company to construct, maintain, and operate additional lines of railway in, through, or by the city of Richmond in conformity with any agreement which may hereafter be entered into between the Council of the city of Richmond and said Chesapeake and Ohio Railway Company, and in the county of Henrico, with power to the said Chesapeake and Ohio Railway Company to condemn any and all property, and rights, corporeal or incorporeal, necessary to the exercise of the powers herein granted, was taken up, twice read, and on motion of Mr. SANDS (the rules being suspended therefor), placed on the calendar.

Mr. MUSHBACH, for Mr. JONES, from the committee for courts and justice, reported with recommendation that it do not pass,

- ✓ No. 135, Senate bill to take the sense of the people upon the call of a convention to revise and amend the Constitution; which, on motion of Mr. WITHERS, was made the special and continuing order for Thursday, February 20th.

Mr. SANDS, from the committee on general laws, reported with a substitute,

- ✓ No. 44, Senate bill to amend and re-enact section 2048 of the Code of Virginia in relation to how boundary lines of lots and tracts of land made a lawful fence as amended and re-enacted by acts approved January 16, 1890, and March 4, 1890.

He, from same committee, reported with amendments,

- ✓ No. 467, Senate bill to incorporate the American Milk Company. He, from the same committee, reported with amendments,

✓ No. 496, Senate bill to incorporate the Winchester Telephone Company.

He, from the same committee, reported without amendment,

✓ No. 524, Senate bill to incorporate the Richmond, Newport News, and Norfolk Telephone Company.

He, from the same committee, reported without amendment,

✓ No. 317, House bill for the relief of the Orient Company of Hartford, Conn.

He, from the same committee, reported without amendment,

✓ No. 319, House bill to regulate the practice of veterinary medicine and surgery in the State of Virginia.

He, from the same committee, reported with recommendation that it do not pass,

✓ No. 365, House bill for the relief of Dr. B. F. Rowles.

He, from the same committee, reported with the recommendation that it do not pass,

✓ No. 368, House bill for the relief of James L. Grant, a dentist of Washington county, Va.

He, from the same committee, reported with the recommendation that it do not pass,

✓ No. 369, House bill for the relief of John H. Rennie, a dentist of Washington county, Va.

He, from the same committee, reported with the recommendation that it do not pass,

✓ No. 370, House bill for the relief of Dr. J. H. Spier.

And he, from the same committee, reported with the recommendation that it do not pass,

✓ No. 371, House bill for the relief of Wm. E. Teasley, dentist.

Mr. WICKHAM, from the committee on finance and banks, reported with amendments,

✓ No. 152, Senate bill to amend and re-enact sections 1714, 1715, 1717, 1724, and 1725 of the Code of Virginia in relation to the powers, duties, and compensation of the State board of health, and to make an appropriation for maintaining the same.

He, from the same committee, reported with an amendment,

✓ No. 376, Senate bill for the relief of William Henry Harrison Cawood.

He, from the same committee, reported with amendments,

✓ No. 448, Senate bill extending further time to A. O. Burks, treasurer of the city of Buena Vista, for the collection of unpaid taxes due to the Commonwealth and to said city.

He, from the same committee, reported without amendment,

✓ No. 197, House bill to require treasurers to report the payment of delinquent taxes made before sale to clerk of court, and such clerk to endorse such payment on delinquent list in his office.

He, from the same committee, reported with recommendation that it be referred to the committee on general laws,

✓ No. 366, House bill for the relief of W. P. McGinnis, a dentist of Grayson county.

And he, from the same committee, reported with recommendation that it be referred to the committee on general laws,

✓ No. 367, House bill for the relief of J. M. Hill.

Mr. ECHOLS, from the committee on roads and internal navigation, reported with an amendment,

✓ No. 500, Senate bill to incorporate the Blue Ridge Railroad Company.

He, from the same committee, reported without amendment,

✓ No. 510, Senate bill to amend and re-enact section 9 of an act approved December 17, 1891, entitled an act to incorporate the Marion and Rye Valley Railroad.

He, from the same committee, reported without amendment,

✓ No. 513, Senate bill to amend and re-enact an act approved February 28, 1894, entitled an act to amend and re-enact section 10 of an act entitled an act to incorporate the Chesapeake and West Virginia Railroad Company, approved February 16, 1892.

He, from the same committee, reported with an amendment,

✓ No. 514, Senate bill to incorporate the Virginia and Northwestern Railroad company.

He, from the same committee, reported with an amendment,

✓ No. 211, House bill to amend an act entitled an act to authorize and empower the Alleghany Iron Company to construct and operate a railroad under certain limitations, approved January 16, 1892.

He, from the same committee, reported without amendment,

✓ No. 247, House bill to incorporate the Hinton, New River and Western Railway Company.

He, from the same committee, reported with an amendment,

✓ No. 329, House bill to incorporate the Falls Church and Potomac Railway Company.

And he, from the same committee, reported without amendment,

✓ No. 394, House bill to incorporate the Fairmount Traction Company.

Mr. LITTLE, from the committee on privileges and elections, reported without amendment,

✓ No. 113, House bill to legalize primary elections in the county of Henrico.

Mr. LOWRY, by leave, presented

✓ A joint resolution requesting the special committee on criminal expenses to enquire into the expediency of reporting a bill requiring the counties and cities of this Commonwealth to pay all expenses in prosecuting persons charged with misdemeanor.

Mr. ECHOLS, by leave, presented

✓ No. 540, Senate bill to amend and re-enact sections 3454, 3466 and 3467 of chapter 170 of the Code of Virginia in reference to allowing appeals; which, on his motion, was read the first, ordered

to be read a second time, and referred to the committee for courts of justice.

Mr. MAYNARD, by leave, presented

- ✓ No. 541, Senate bill for the relief of the heirs of Adelene Hall; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. LE CATO, by leave, presented

- ✓ No. 542, Senate bill to correct all inaccuracies in the Baylor geodetic survey, designating the public oyster beds and private planting grounds; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. BROWN, by leave, presented

- ✓ No. 543, Senate bill to regulate the sale of cider and other intoxicants in the village of Lovington, Nelson county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BROWN, by leave, presented

- ✓ No. 544, Senate bill for the relief of A. G. Loving, of Nelson county, from payment of a fine and costs imposed by the judgment of the county court of Nelson county at its January term, 1896; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. HAY, by leave, presented,

- ✓ No. 545, Senate bill to remit to the county of Madison the State taxes on the Madison and Orange Railroad for certain purposes; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. HAY, by leave, presented

- ✓ No. 546, Senate bill to amend and re-enact section 1 of an act entitled an act to authorize the county of Madison to subscribe to the stock of the Madison and Orange Railroad Company on certain conditions, approved February 24, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. HAY, by leave, presented

- ✓ No. 547, Senate bill to amend and re-enact sections 3, 7 and 8 of an act entitled an act to incorporate the Madison and Orange Railroad Company, approved February 26, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. SANDS, by leave, presented

- ✓ No. 548, Senate bill to amend and re-enact section 3251 of the Code of Virginia relating to forms of actions and declarations on policy of insurance; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

No. 296, Senate bill to amend and re-enact sections 4, 52 and 54

✓ of an act entitled an act to amend and re-enact the charter of the town of Martinsville, in the county of Henry, approved March 3, 1892, so as to provide for the election of sergeant by the qualified voters of said town, was taken up, twice read, committee's amendments agreed to, ordered to be engrossed and read a third time.

✓ No. 416, Senate bill to amend and re-enact sections 4071, 4074 and 4075 of the Code of Virginia in relation to the confinement in jail, and release therefrom, of persons sentenced or directed by a court or justice to be confined therein in default of the payment of a fine, or fine and costs, or costs, where there is no fine; or until such fine, or fine and costs, or costs be paid, and the release from jail of persons in jail under *capias pro fine*, was taken up, and, on motion of Mr. LOWRY, recommitted to the special committee on criminal expenses.

✓ No. 372, Senate bill providing for the transfer to the credit of the Commonwealth of the balance of the interest which accumulated on the direct tax fund in the hands of the State depositories, after paying any unpaid expenses in connection therewith, was taken up, twice read, committee's amendments agreed to, ordered to be engrossed and read a third time.

✓ On motion of Mr. STUBBS, the vote by which the bill was ordered to be engrossed was passed by.

✓ No. 390, Senate bill for the relief of W. J. Sproles, was taken up, twice read, and Mr. KANE proposed a substitute for the bill, which was agreed to, and the substitute ordered to be engrossed and read a third time.

✓ No. 516, Senate bill prescribing the pay of the harbor master of Carter's Creek, in Lancaster county, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ No. 487, Senate bill to repeal an act entitled an act relating to the unlawful hunting of deer in the county of Charles City, approved February 7, 1894, was taken up, twice read, ordered to be engrossed and read a third time.

✓ No. 506, Senate bill to amend and re-enact sections 17 and 18 of an act entitled an act to provide a new charter for the town of Waverly, approved February 29, 1892, and to validate certain taxes and assessments levied and imposed by the council of said town, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ No. 379, Senate bill for the relief of Joseph E. Tate and John S. King, sureties of E. H. Quillen, late treasurer of Scott county, was taken up, twice read, and, on motion of Mr. KANE, indefinitely postponed.

✓ No. 348, Senate bill to amend and re-enact section 7 of an act entitled an act to amend and re-enact section 2134 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re enact sections 2131, 2133, 2135, 2137, 2148, 2152, 2153, and to repeal sections 2141, 2142, 2143, 2144, 2145 and 2147 of chap-

ter 97 of the Code of Virginia in relation to oysters, and to add independent sections thereto, approved February 25, 1892, and to amend and re-enact sections 6 and 7 of the said act, approved February 25, 1892, approved March 5, 1894, was taken up, twice read, ordered to be engrossed and read a third time.

✓ No. 239, Senate bill to amend and re-enact section 2164 of the Code of Virginia, in reference to when license to dredge oysters granted to residents; application therefor, as amended and re-enacted by an act approved March 5, 1894, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ No. 249, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 3044 of the Code of Virginia, in relation to the counties and districts of county-court judges, approved December 21st, 1891, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.

✓ No. 409, Senate bill for the relief, under conditions, of William Mayo, late treasurer of Westmoreland county, and his sureties, to the extent of payment of interest in excess of 6 per cent., was taken up, read a second time, committee's amendments agreed to, ordered to be engrossed and read the third time.

✓ No. 488, Senate bill for the protection of deer and wild turkeys in the counties of New Kent and Charles City, was taken up, twice read, ordered to be engrossed and read a third time.

✓ No. 539, Senate bill to amend and re-enact an act entitled an act authorizing the board of supervisors of Pittsylvania county to issue the bonds of said county for the purpose of raising money to pay off bonds of said county, approved February 7, 1894, as amended and re-enacted by an act approved December 20, 1895, was taken up, twice read, ordered to be engrossed and read a third time.

✓ No. 380, Senate bill to amend an act to incorporate Shoemaker College, in Scott county, approved March 1, 1894, was taken up, twice read, and, on motion of Mr. BUCHANAN, passed by.

✓ No. 452, Senate bill to amend and re-enact section 1073 of the Code of Virginia, in reference to the quantity of land to be taken by works of internal improvement, was taken up, read the third time, and passed by the following vote—ayes, 26; noes, 1;

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hay, E. H. Jackson, Kane, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Sands, Southall, Stubbs, Tredway, and Wickham—26.

NOES—Mr. Hale—1.

✓ On motion of Mr. WICKHAM, the title was amended so as to read as follows:

✓ No. 452, Senate bill to permit any railroad or transportation company which is or shall be authorized to use or lease any line of any other railroad or transportation company, or with which it shall

have lawfully established connection, to acquire and hold real estate upon and near any such line, or at or near any terminus.

On motion of Mr. STURBS (the rules being suspended therefor), the House bills on the calendar were passed by to-day, and Senate bills on their second reading taken up.

- ✓ On motion of Mr. FLANAGAN, Senate bill No. 111, to authorize the county of Powhatan to borrow money, in the hands of the committee on county, city, and town organizations, that committee was relieved from the further consideration of the bill, and referred to the committee on general laws.

Mr. TREDWAY, by leave, presented

- ✓ A petition from the citizens of Henry county for a game law; which, on his motion, was referred to the committee on fish and game.

- ✓ Also a petition from the citizens of Henry county asking for a pension for John W. Terry; which, on his motion, was referred to the committee on finance and banks.

Mr. BROWN, by leave, presented

- ✓ A petition from the citizens of Nelson county, asking for the passage of a law to regulate the sale of cider at the village of Lovings-ton on public days; which, on his motion, was referred to the committee on general laws.

Mr. STUBBS, by leave, presented

- ✓ A communication from R. C. Saunders, Esq., to the chairman of the committee on education; which, on his motion, was referred to the committee on public institutions and education.

- ✓ A message was received from the House of Delegates by Mr. HARRISON, who informed the Senate that that house had passed House bill No. 429, amending the charter of the town of Salem, and on motion of Mr. GREEN, was placed on the calendar.

- ✓ A message was received from the House of Delegates by Mr. Cook, who informed the Senate that that house had passed House bill No. 410, entitled an act to regulate the salary of the police justice of the city of Norfolk, which was referred to the committee for courts of justice.

- ✓ On motion of Mr. HAY, the committee on county, city and town organizations were discharged from the further consideration of House bill No. 388, and the bill was ordered to be placed on the calendar.

Mr. WITHERS, from the special committee on criminal expenses, reported with amendment,

- ✓ No. 174, Senate bill to amend and re-enact section 3529 of the Code of Virginia in relation to fees of officers.

He, from the same committee, reported with a substitute for

- ✓ No. 118, Senate bill to amend and re-enact section 3528 of the Code of Virginia, and to repeal section 3526 of the Code of Virginia in relation to fees of attorneys for the Commonwealth.

He, from the same committee, reported with amendment,

- ✓ No. 327, Senate bill to amend and re-enact sections 4080 and 4083, and to repeal section 4082 of the Code of Virginia in relation to taxation and allowance of costs in criminal cases.

He, from the same committee, reported with recommendation that it be referred to the committee for courts of justice,

- ✓ No. 394, Senate bill to amend and re-enact section 834, Code of Virginia, as amended and re-enacted by an act passed March 5, 1888, as amended and re-enacted by an act passed 25th February, 1892, as amended and re enacted by an act passed March 5, 1894, as to the pay of commonwealth's attorneys, sheriffs and clerks.

And it was so ordered.

And he, from the same committee, reported without amendment,

- ✓ No. 379, House bill entitled an act to dispense with formal warrants in certain cases before the police justices and justices of the peace.

- ✓ The special order of the day being the insurance bills, substitute for, &c., was taken up, and the substitute proposed by Mr. LOVENSTEIN was amended, and on motion of Mr. BROWN, the bill was further amended, and on his further motion to strike out section 8 while pending, Mr. ECHOLS moved to adjourn, which was lost by the following vote—ayes, 1; noes, 24.

- ✓ AYES—Mr. E. H. Jackson.

NOES—Messrs. Barnes, Boykin, Buchanan, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, Kane, LeCato, Little, Lowry, Mason, Maynard, Morris, Mushbach, Sands, Stubbs, Tredway, Wickham, and Williams—24.

- ✓ Mr. STUBBS moved to pass by until Monday, which was defeated—ayes, 11; noes, 14.

AYES—Messrs. Barnes, Brown, Flood, Hale, E. H. Jackson, Kane, Lovenstein, Lowry, Mushbach, Stubbs, and Tredway—11.

NOES—Messrs. Boykin, Buchanan, Clement, Echols, Fairfax, Green, Hay, LeCato, Little, Mason, Maynard, Morris, Sands, and Williams—14.

- ✓ Mr. MUSHBACH moved to adjourn, which was lost by the following vote—ayes, 8; noes, 15.

AYES—Messrs. Brown, Buchanan, Flood, Green, Hale, Little, Lowry, and Mushbach—8.

NOES—Messrs. Clement, Echols, Fairfax, Hay, Kane, LeCato, Lovenstein, Mason, Maynard, Morris, Sands, Stubbs, Tredway, Wickham, and Williams—15.

- ✓ And on motion of Mr. MASON, the special order was passed by.

- ✓ On motion of Mr. MASON, the joint resolution relating to the protection of the rights of persons fishing in the Potomac river, was taken up, committee's amendments agreed to, and ordered to be engrossed and read a third time.

Mr. LITTLE, by leave, presented

- ✓ No. 549, Senate bill to amend and re-enact sections 1 and 6 of an act entitled an act to incorporate the Mineral Belt Railway and Tramway Company, approved January 18, 1896; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

On motion of Mr. FLOOD, the Senate adjourned until Monday twelve o'clock.

MONDAY, FEBRUARY 10, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. R. G. Waterhouse.

Journal of Saturday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In House of Delegates, February 8, 1896.

- ✓ The House of Delegates has agreed to the amendments of the Senate to House bill entitled an act for the protection of game and song-birds in the county of Amelia, No. 29.
- ✓ They have passed Senate bills entitled an act to amend and re-enact section 10 of chapter 743 of Acts of Assembly of 1893-94, with reference to the unlawful taking or catching of crabs, No. 357; an act to incorporate the Lexington and Goshen Railroad Company, No. 367; an act to amend and re-enact sections 2 and 10 of an act entitled an act to protect sheep and other stock in the counties of Accomac and Northampton, approved February 7, 1894, No. 422.
- ✓ They have passed Senate bill entitled an act to incorporate the Peninsula Gaslight, Fuel and Power Company, No. 82, with amendments.
- ✓ They have agreed to Senate resolution in relation to the memory of George Peabody.
- ✓ They have passed House bills entitled an act for the relief of J. H. Hickey and H. F. Jackson, No. 399; an act to fix the penalty of the bond of the treasurer of Rockbridge county, require every sixty days statement of collections and payment into the treasury of the State's revenue, and to empower the county board of supervisors to demand new or additional bond, No. 395; an act to amend and re-enact section 2 of an act entitled an act to incorporate Ingram Institute, approved March 1, 1892, No. 387; an act for the protection of sheep, hogs, and turkeys in the county of King William, by making the owner of dogs that kill, maim, or worry the same liable for damages, No. 386; an act to amend and re-enact section 36 of

✓ an act entitled an act to provide for the assessment of taxes, &c., for the support of Government, approved March 6, 1890, as to sale by agents, and add thereto, No. 376; an act to allow James M. Crymes, deputy treasurer of Lunenburg county, time to collect unpaid taxes now in his hands, No. 375; an act to give John C. Hall, late treasurer of the county of Franklin, and his deputies, power to levy and distress to collect certain uncollected tax tickets now in his hands, No. 374; an act to allow Luke C. Lewis to erect a wharf on Chincoteague Bay, in Accomac county, No. 372; an act to provide for working and keeping in repair the public roads of Buchanan and Dickenson counties, No. 385; an act to authorize the board of supervisors of Henrico county, Va., to adopt sanitary rules and regulations for that portion of said county lying within three-fourths of a mile of the corporate limits of the city of Richmond, No. 383; an act to provide for working and defining the boundaries of certain roads in Fairfax county, No. 382; an act to amend and re-enact section 3, chapter 73 of the Acts of Assembly for the extra session 1887, entitled an act to amend an act entitled an act for working the public roads of Fairfax county, No. 381; an act allowing G. R. Nichols, deputy treasurer of the county of Campbell, further time for the collection of taxes for the years 1891, 1892, and 1893, No. 377; an act to provide a new charter for the town of Pocahontas, No. 358; ✓ and an act to amend and re-enact an act to authorize the county of Powhatan to change the form of the bonds subscribed to the Farmville and Powhatan Railroad Company, approved December 19, 1889, and to amend the same so as to allow the board of supervisors of said county to refund the conditional bonds and the interest thereon, No. 280.

In which amendments and bills they respectfully request the concurrence of the Senate.

✓ No. 82, Senate bill to incorporate the Peninsula Gaslight, Fuel and Power Company, was taken up, and the amendments proposed by the House of Delegates were agreed to.

✓ No. 358, House bill entitled an act to provide a new charter for the town of Pocahontas, was taken up, twice read, and referred to the committee on county, city, and town organizations. +

✓ No. 372, House bill entitled an act to allow Luke C. Lewis to erect a wharf on Chincoteague bay, in Accomac county, was taken up, twice read, and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.

✓ No. 374, House bill entitled an act to give to John C. Hall, late treasurer of the county of Franklin, and his deputies, power of levy and distress to collect certain uncollected tax tickets now in his hands, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 375, House bill entitled an act to allow James M. Crymes, deputy treasurer of Lunenburg county, time to collect unpaid tax

tickets, now in his hands, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 376, House bill entitled an act to amend and re-enact section 36 of an act entitled an act to provide for the assessment of taxes, &c., for the support of the government, approved March 6, 1890, as to sale by agents, and add thereto, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 377, House bill entitled an act allowing G. R. Nichols, deputy treasurer of the county of Campbell, further time for the collection of taxes for the years 1891, 1892, and 1893, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 381, House bill entitled an act to amend and re-enact section 3, chapter 73 of the acts of assembly for the extra session of 1887, entitled an act to amend an act for working the public roads of Fairfax county, was taken up, twice read, and on motion of Mr. MUSHBACH (the rules being suspended therefor), placed on the calendar.

✓ No. 382, House bill entitled an act to provide for working and defining the boundaries of certain roads in Fairfax county, was taken up, twice read, and on motion of Mr. MUSHBACH (the rules being suspended therefor), placed on the calendar.

✓ No. 383, House bill entitled an act to authorize the board of supervisors of Henrico county, Virginia, to adopt sanitary rules and regulations for that portion of said county lying within three-fourths of a mile of the corporate limits of the city of Richmond, was taken up, twice read, and on motion of Mr. LITTLE (the rules being suspended therefor), placed on the calendar.

✓ No. 385, House bill entitled an act to provide for working and keeping in repair the public roads of Buchanan and Dickenson counties, was taken up, twice read, and referred to the committee on county, city, and town organizations.

✓ No. 386, House bill entitled an act for the protection of sheep, hogs, and turkeys in the county of King William by making the owners of dogs that kill, maim, or worry the same, liable for damages, was taken up, twice read, and referred to the committee on county, city, and town organizations.

✓ No. 387, House bill entitled an act to amend and re enact section 2 of an act entitled an act to incorporate Ingram Institute, approved March 1, 1892, was taken up, twice read, and referred to the committee on public institutions and education.

✓ No. 395, House bill entitled an act to fix the penalty of the bond of the treasurer of Rockbridge county, require every sixty days statement of collections and payment into the treasury of the State's revenue, and to empower the county board of supervisors to demand new or additional bond, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 399, House bill entitled an act for the relief of J. H. Hickey and H. F. Jackson, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 280, House bill entitled an act to amend and re-enact an act to authorize the county of Powhatan to change the form of the bonds subscribed to the Farmville and Powhatan Railroad Company, approved December 19, 1889, and to amend the same, so as to allow the board of supervisors of said county to refund the additional bonds and the interest thereon, was taken up, twice read, and referred to the committee on general laws.

Mr. JONES, from the committee for courts of justice, reported with recommendation that it do not pass,

✓ No. 64, House bill to require the judges of courts and the clerks to certify to the treasurer lists of allowances made by courts.

He, from the same committee, reported with a substitute,

✓ No. 66, House bill to provide for the disposition of the body of a person upon whom sentence of death for crime has been executed where said body is claimed by certain relations of the deceased.

He, from the same committee, reported without amendment,

✓ No. 231, House bill to amend and re-enact sections 525, 3518 and 3519 of the Code of Virginia in relation to fee bills.

He, from the same committee, reported without amendment,

✓ No. 410, House bill to regulate the salary of the police justice of the city of Norfolk.

He, from the same committee, reported without amendment,

✓ No. 202, House bill to amend and re-enact sections 7, 8, 9, 10 and 25 of an act entitled an act to regulate and control guaranty, trust, indemnity, fidelity, and other like companies having for their purpose, or one of their purposes, to become security for the faithful performance of any trust, duty, contract, agreement or bond, public or private, official or otherwise, or to assume any duty or obligation of like nature as principal or otherwise, or to become fiduciary, approved March 5, 1894.

He, from the same committee, reported with the recommendation that this bill do not pass.

✓ No. 143, House bill to amend and re-enact section 4041 of the Code of Virginia, in relation to what verdict to specify when jury find accused guilty of murder; if guilt confessed, duty of court.

He, from the same committee, reported with an amendment,

✓ No. 169, House bill to amend and re-enact section 3225 of the Code of 1887, in relation to the service of process against or notice to a corporation.

Mr. BROWN, from the committee on general laws, reported without amendment,

✓ No. 224, Senate bill to repeal the charter of the Old Dominion Fire Association of Alexandria, Va., which was granted by the judge of the circuit court of the city of Alexandria on the 6th day of November, 1895, under section 1145 of the Code of Virginia, and acts amendatory thereof.

Mr. MASON, by leave, presented

✓ No. 550, Senate bill to allow Lawson Winstead to erect a wharf

✓ or pierhead in Rappahannock river, Lancaster county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. BUCHANAN, by leave, presented

✓ No. 551, Senate bill to authorize the council of the city of Bristol to issue bonds to pay its bonded indebtedness; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. JONES, by leave, presented

✓ No. 552, Senate bill to pay district school trustees of Rockbridge county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. LITTLE, by leave, presented

✓ No. 553, Senate bill to amend section 1 of an act incorporating the trustees of the Female Charity School of Fredericksburg; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. MAYNARD, by leave, presented

✓ No. 554, Senate bill to authorize the increase of the capital stock of the Portsmouth Street Railway Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. TREDWAY, by leave, presented

✓ No. 555, Senate bill to quiet the titles of claimants under inclusive grants, issued under act of June, 1788, and to relinquish the title of the Commonwealth to certain lands, inside of said grants, to those claiming under such grants; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BARNES, by leave, presented

✓ No. 556, Senate bill to incorporate the Young Men's Christian Association of Newport News, Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BARNES, by leave, presented

✓ No. 557, Senate bill to provide for an adjustment and division of liabilities, property, and assets between the county of Warwick and the city of Newport News, Virginia, and to provide for the occupation of certain property; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. ECHOLS (by request), by leave, presented

✓ No. 558, Senate bill to incorporate the Waynesboro and Basic City Railway Company, and to authorize and empower the said

company to acquire and operate the street railway and franchises constructed and operated by J. W. Marshall and his associates, under grants from the municipal authorities of the towns of Waynesboro and Basic City, in the county of Augusta; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. SOUTHALL, by leave, presented

✓ No. 559, Senate bill to relieve Robert H. Armistead, a disabled Confederate soldier of Cumberland county, Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ A joint resolution, requesting the special committee on criminal expenses to enquire into the expediency of reporting a bill requiring the counties and cities of this Commonwealth to pay all expenses of prosecuting persons charged with misdemeanors, was taken up, and, on motion of Mr. LOWRY, referred to the special committee on criminal expenses.

✓ No. 239, Senate bill to amend and re-enact section 2164 of the Code of Virginia, in reference to when license to dredge oysters granted to residents; application therefor, as amended and re-enacted by act approved March 5, 1894, was taken up, read the third time, and passed with its title.

✓ No. 348, Senate bill to amend and re-enact section 7 of an act entitled an act to amend and re-enact section 2134 of Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 2131, 2133, 2135, 2137, 2148, 2151, 2153, and to repeal sections 2141, 2142, 2143, 2144, 2145, and 2147 of chapter 97 of the Code of Virginia, in relation to oysters, and to add independent sections thereto, approved February 25, 1892, and to amend and re-enact sections 6 and 7 of the said act, approved February 25, 1892, approved March 5, 1894, was taken up, and on motion of Mr. LITTLE, passed by.

✓ No. 249, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 3044 of the Code of Virginia in relation to the counties and districts of county court judges, approved December 21, 1891, was taken up, read the third time, and passed with its title.

✓ No. 506, Senate bill to amend and re-enact sections 17 and 18 of an act entitled an act to provide a new charter for the town of Waverly, approved February 29, 1892, and to validate certain taxes and assessments levied and imposed by the council of said town, was taken up, read the third time, and passed with its title.

✓ No. 372, Senate bill providing for the transfer to the credit of the Commonwealth of the balance of the interest which accumulated on the direct tax fund in the hands of the State depositories after paying any unpaid expenses in connection therewith, was taken up, the Senate refused to reconsider the vote by which it was ordered to

✓ its engrossment yesterday, and the bill was then read the third time, and passed with its title.

No. 409, Senate bill for the relief, under conditions, of William Mayo, late treasurer of Westmoreland county, and his sureties, to the extent of payment of interest in excess of six per cent, was taken up, read the third time, and passed with its title by the following vote—ayes, 23; noes, 1.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Flanagan, Flood, Green, Hay, E. H. Jackson, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Snead, Southall, Tredway, and Williams—23.

NOES—1.

✓ No. 390, Senate bill for the relief of W. J. Sproles, was taken up, read the third time, and passed with its title.

✓ No. 516, Senate bill prescribing the pay of the harbor master of Carter's Creek, in Lancaster county, was taken up, read the third time, and passed with its title.

✓ No. 488, Senate bill for the protection of deer and wild turkeys in the counties of New Kent and Charles City, was taken up, read the third time, and passed with its title.

✓ No. 487, Senate bill to repeal an act entitled an act relating to the unlawful hunting of deer in the county of Charles City, approved February 7, 1894, was taken up, read the third time, and passed with its title.

✓ No. 296, Senate bill to amend and re-enact sections 4, 52, and 54 of an act to amend and re-enact the charter of the town of Martinsville, in the county of Henry, approved March 3, 1892, so as to provide for the election of sergeant by the qualified voters of said town, was taken up, read the third time, and passed with its title.

✓ No. 539, Senate bill to amend and re-enact an act entitled an act to authorize the board of supervisors of Pittsylvania county to issue bonds of said county for the purpose of raising money to pay off bonds of said county, approved February 7, 1894, as amended and re-enacted by an act approved December 20, 1895, was taken up, and, on motion of Mr. TREDWAY, passed by.

✓ The unfinished business of Saturday being Senate bill No. 113, to create the office of insurance commissioner, &c., was taken up, and, on motion of Mr. MASON, passed by.

✓ A message was received from the governor, by his private secretary, who informed the Senate that he had vetoed Senate bill No. 181, "An act to incorporate the Virginia Securities Company;" which, on motion of Mr. JONES, was laid on the table and ordered to be printed :

GOVERNOR'S OFFICE,
RICHMOND, VA., February 10, 1896.

To the General Assembly:

I herewith respectfully return without my approval Senate bill No. 181, entitled "An act to incorporate the Virginia Securities Company."

Section three of this bill is as follows: The said corporation is authorized and empowered to manufacture and deal in iron, steel, and other metals and articles composed wholly or partly of the same; to mine and deal in iron ores, coal, and other minerals; to make and deal in coke, and to erect and operate works, buildings, machinery, fixtures, and appliances for these purposes; to make advances or loans of money on any kind of property or security; to purchase, hold and convey the obligations, mortgages, and securities, negotiable or otherwise, of corporations, associations, and individuals; to purchase, hold and convey lands (not exceeding, however, ten thousand acres in fee simple in any one county), and interests in lands in this State or elsewhere; to construct, lease, and sell dwellings, stores, and other buildings, and otherwise use, operate, develop and improve lands, and interests in lands; and to purchase, hold and dispose of property of any kind suited to the business of said corporation; and to locate, operate and construct such railroad or railroads as may be necessary or useful in the successful development and enjoyment of its properties. The board of directors may determine the gauge of all roads to be constructed, and may use steam, electricity, or other agencies as a motive power. The said corporation may acquire, by donation or purchase, lands necessary for the right of way, depots, stations and other purposes, and may connect its road or roads with any other railroad in this State; may carry passengers and freight, and charge and receive tolls therefor.

"The subject in an act can be no broader than the statement of it in the title."—Sutherland on Statutory Construction, sec. 87, p. 94.

"The title of an act defines its scope; it can contain no valid provision beyond the range of the subject there stated."—Ibid, sec. 102, page 118.

The title of Senate bill No. 181 is "An act to incorporate the Virginia Securities Company." What is a Securities Company? It is a company authorized to buy and sell, hold, transfer and deal in securities. It can have no broader range; no greater scope.

What additional powers are conferred by said section three?

1st. To manufacture and deal in iron, steel, and other metals and articles composed wholly or partly of the same.

2nd. To mine and deal in iron ores, coal, and other minerals.

3rd. To make and deal in coke, and operate works, buildings, machinery, fixtures and appliances for these purposes.

4th. To purchase, hold and convey lands (not exceeding ten thousand acres in fee simple in any one county), and interests in land in this State or elsewhere.

5th. To construct, lease, and sell dwellings, stores and other buildings, and otherwise use, operate, develop and improve lands and interests in lands, and to purchase, hold and dispose of property of any kind suited to the business of the said corporation.

6th. To locate, operate and construct such railroad or railroads as may be necessary or useful in the successful development and employment of its properties. Not one of these powers is germane to the object of the corporators, as set forth in the title. They embrace the various enterprises of manufacturing, mining, building and selling of houses, development of lands, and the construction and operation of railroads, while the title only authorizes what would be understood as a brokerage business.

"A title too general to answer the purpose intended, or otherwise misleading, will vitiate the act. A title so general as practically to conceal the subject of the statute or a false or deceptive title, will be treated as not constitutionally framed and the act held void."—Sutherland on Statutory Construction, sec. 90, p. 99.

"Where the title affords no clue whatever to the contents of the act, the enactment is wholly inoperative."—Board of Supervisors of Henrico Co. vs. McGruder, 84th Virginia, p. 832.

The purpose or purposes of this bill are concealed by the title; the title is deceptive; it affords no clue to the contents of the bill.

Again, this bill violates Article V, section 15, of the Constitution, which declares that "no law shall embrace more than one object." Many objects are set forth in the section to which I have referred—six of them at least not germane or incidental to the object stated in the title.

CHAS. T. O'FERRALL, *Governor*.

✓ A message was received from the House of Delegates by Mr. POWELL, who informed the Senate that that house had passed the following joint resolution :

✓ Resolved by the House of Delegates (the Senate concurring), That the General Assembly proceed to-morrow, the 11th instant, at 1 o'clock P. M., to elect a county judge for the counties of Elizabeth City and Warwick.

✓ Which, on motion of Mr. BARNES, was agreed to; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ The following joint resolutions, relating to the protection of the rights of person fishing in the Potomac river, was taken up, read the third time, and passed with its title, by the following vote—ayes, 25; noes, 2.

AYES—Messrs. Boykin, Brown, Buchanan, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, E. H. Jackson, Kane, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Snead, Southall, Tredway, Wickham, and Williams—25.

NOES—Messrs. Hay and Jones—2.

✓ The special order of the day, Senate bill, No. 188, and substitute, to create a fish commission, &c., was taken up, and Mr. MASON proposed the following amendment: Strike out in line 2, section 2, page 1, of substitute, the words "governor to appoint, by and with the advice and consent of the Senate," and insert "General Assembly to elect by joint vote," which was rejected by the following vote—ayes, 11; noes, 18.

AYES—Messrs. Barnes, Clement, Echols, Flanagan, Green, Hale, Little, Mason, Mushbach, Stubbs, and Williams—11.

NOES—Messrs. Boykin, Brown, Buchanan, Fairfax, Flood, Hay, E. H. Jackson, Jones, Kane, Keezell, LeCato, Lovenstein, Maynard, Morris, Snead, Southall, Tredway, and Wickham—18.

✓ Mr. MASON then proposed the following amendments: In line 9, page 1, strike out "governor," and insert "board of fisheries"; on page 2, section 3, line 2, strike out "fifteen" and insert "forty," both of which were rejected by the following vote—ayes, 12; noes, 15.

AYES—Messrs. Barnes, Brown, Clement, Echols, Flanagan, Green, Hale, Little, Mason, Maynard, Stubbs, and Tredway—12.

NOES—Messrs. Boykin, Buchanan, Fairfax, Flood, Hay, E. H. Jackson, Jones, Keezell, LeCato, Lovenstein, Morris, Mushbach, Snead, Southall, and Wickham—15.

- ✓ Mr. LECATO made an unsuccessful effort to amend the bill further.
- ✓ Mr. KEEZELL then proposed an amendment, which was agreed to, and the substitute was then adopted.
- ✓ Mr. STUBBS then proposed an amendment, to which he was addressing the Senate at the time of adjournment.
- ✓ No. 436, House bill entitled an act to amend and re-enact an act entitled an act to authorize the Chesapeake and Ohio Railway Company to construct, operate, and maintain a branch or connecting line between its railroads in the counties of Goochland and Henrico, or either of them, approved January 31, 1890, so as, in addition to the powers authorized by said act, to enable the Chesapeake and Ohio Railway Company to construct, maintain, and operate additional lines of railway in, through, or by the city of Richmond in conformity with any agreement which may hereafter be entered into between the Council of the city of Richmond and said Chesapeake and Ohio Railway Company, and in the county of Henrico, with power to the said Chesapeake and Ohio Railway Company to condemn any and all property, and rights, corporeal or incorporeal, necessary to the exercise of the powers herein granted.
- ✓ On motion of Mr. WICKHAM, unanimous consent was granted him to take up the bill, out of its order, and it was read the third time and passed with its title, and, on his further motion, the clerk was ordered to inform the House of Delegates thereof.
- On motion of Mr. LITTLE, the Senate adjourned until to-morrow, twelve o'clock.

TUESDAY, FEBRUARY 11, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. H. M. Hope.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates, by their clerk, was read as follows:

In House of Delegates, February 10, 1896.

- ✓ The House of Delegates has passed Senate bills entitled an act to amend and re-enact section 2275 of the Code of Virginia, in relation to how dower may be assigned, No. 210; an act to constitute the town of Leesburg and adjoining territory a separate school district, and to authorize the council of said town to appoint or elect the school trustees for said district, No. 479; and an act to permit any railroad or transportation company which is or shall be authorized to use or lease any line of any other railroad or transportation company, or with which it shall have lawfully established connec-

tion, to acquire and hold real estate upon and near any such line, or at or near any terminus, No. 452.

✓ They have passed the following Senate bills with amendments: An act to incorporate the King's Daughters Hospital, Staunton, Va., No. 190; an act to incorporate the Sons and Daughters of Zion of the county of Louisa, No. 287; an act to amend and re-enact section 164 of Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 164 of the Code of Virginia, so as to allow fourth-class postmasters to act as notaries, approved February 15, 1894, No. 312; and an act to incorporate the Home Mutual Insurance Company of Virginia, No. 495.

✓ They have passed House bills entitled an act to amend and re-enact section 2500 of the Code, and to amend and re-enact section 2501 of the Code, as amended and re-enacted by an act approved February 10, 1890, entitled an act to amend and re-enact section 2501 of the Code, in relation to certificates of acknowledgment, No. 404; an act to amend and re-enact sections 4071, 4074, and 4075 of the Code of Virginia, in relation to the confinement in jail and release therefrom of persons sentenced or directed by a court or justice to be confined therein in default of the payment of a fine,

✓ or fine and costs, or costs where there is no fine, or until such fine, or fine and costs, be paid, and the release from jail of persons in jail under *capias pro fine*, No. 405; an act to compensate school trustees other than clerks in Spotsylvania county, No. 409; an act to amend and re-enact an act approved February 29, 1894, to regulate the killing or capturing of game, &c., No. 285; an act to incorporate the Potomac River Railroad Company, No. 330; an act to amend and re-enact section 3575 of the Code of Virginia, establishing the order of liability between alienees of different parts of real estate subject to liens or charges, No. 380; an act to amend and re-enact section 1587 of the Code of 1887, in relation to students who may attend the Virginia Agricultural and Mechanical College, No. 421; and an act to release the land of Peter McLaren, in Bath county, from the payment of taxes and levies illegally assessed thereon from the years 1890, 1892, 1893, 1894, and 1895, No. 373.

In which amendments and bills they request the concurrence of the Senate.

✓ No. 190, Senate bill to incorporate the King's Daughters Hospital of Staunton, Va., was taken up, and the amendments proposed by the House of Delegates agreed to.

✓ No. 287, Senate bill to incorporate the Sons and Daughters of Zion of the county of Louisa, was taken up, and the amendments proposed by the House of Delegates agreed to.

✓ No. 312, Senate bill to amend and re-enact section 164 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 164 of the Code of Virginia, so as to allow fourth-class postmasters to act as notaries, approved Feb-

ruary 15, 1894, was taken up, and the amendments proposed by the House of Delegates agreed to.

✓ No. 495, Senate bill to incorporate the Home Mutual Insurance Company of Virginia, was taken up, and the amendments proposed by the House of Delegates agreed to.

✓ No. 404, House bill entitled an act to amend and re-enact section 2500 of the Code, and to amend and re-enact section 2501 of the Code, as amended and re-enacted by an act approved February 10, 1890, entitled an act to amend and re-enact section 2501 of the Code in relation to certificates of acknowledgment, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 405, House bill entitled an act to amend and re-enact sections 4071, 4074, and 4075 of the Code of Virginia in relation to the confinement in jail and release therefrom of persons sentenced or directed by a court or justice to be confined therein in default of the payment of a fine, or fine and cost, or cost, where there is no fine; or until such fine, or fine and cost, or cost, be paid, and the release from jail of persons in jail under *capias pro fine*, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 409, House bill entitled an act to compensate school trustees, other than clerk, in Spotsylvania county, was taken up, twice read, and on motion of Mr. LITTLE (the rules being suspended therefor), placed on the calendar.

✓ No. 285, House bill entitled an act to amend and re-enact an act approved February 29, 1894, to regulate the killing or capturing of game in the counties of Alleghany, Bath, Highland, and Augusta, was taken up, twice read, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ No. 330, House bill entitled an act to incorporate the Potomac River Railroad Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 380, House bill entitled an act to amend and re-enact section 3575 of the Code of Virginia, establishing the order of liability between alienees of different parts of real estate subject to liens or charges, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 421, House bill entitled an act to amend and re-enact section 1587 of the Code of 1887 in relation to students who may attend the Virginia Agricultural and Mechanical College, was taken up, twice read, and referred to the committee on public institutions and education.

✓ No. 373, House bill entitled an act to release the land of Peter McLaren, in Bath county, from the payment of taxes and levies illegally assessed thereon for the years 1890, 1892, 1893, 1894, and 1895, was taken up, twice read, and referred to the committee on finance and banks.

Mr. LITTLE, from the committee on privileges and elections, reported with the recommendation that it do not pass,

- ✓ No. 206, House bill to legalize primary elections and conventions in the city and county of Alexandria.

And he, from the same committee, reported with a substitute,

- ✓ No. 433, Senate bill to amend and re-enact section 96 of chapter 9 of the Code of Virginia in relation to the election of district officers.

Mr. JONES, from the committee for courts of justice, reported without amendment,

- ✓ No. 520, Senate bill to amend and re-enact section 1 of an act entitled an act to provide for the time of holding terms of court in the sixth judicial circuit of Virginia, approved February 27, 1894.

- ✓ The bill was subsequently taken up by unanimous consent, and, on motion of Mr. MORRIS, ordered to be engrossed, and being forthwith engrossed, on his further motion (two-thirds concurring), read the third time and passed; and on motion of Mr. BROWN, the title was amended so as to include the counties of Amherst and Nelson, added thereto, by an act approved February 5, 1896.

- ✓ On motion of Mr. MORRIS, he was ordered to inform the House of Delegates thereof.

And he, from the same committee, reported without amendment,

- ✓ No. 533, Senate bill to amend and re-enact section 1842 of the Code, as amended and re enacted by an act entitled an act to amend and re-enact section 1842 of the Code of Virginia in relation to sale by samplers and others of unclaimed tobacco in warehouses of the city of Richmond, and disposition of the proceeds, approved March 3, 1890.

Mr. ECHOLS, from the committee on roads and internal navigation, reported without amendment,

- ✓ No. 546, Senate bill to amend and re-enact section 1 of an act entitled an act to authorize the county of Madison to subscribe to the stock of the Madison and Orange Railroad Company on certain conditions, approved February 24, 1894.

And he, from the same committee, reported without amendment,

- ✓ No. 547, Senate bill to amend and re-enact sections 3, 7 and 8 of an act entitled an act to incorporate the Madison and Orange Railroad Company, approved February 26, 1894.

Mr. MORRIS, from the committee on public institutions and education, reported without amendment,

- ✓ No. 519, Senate bill to incorporate the Stonewall Jackson Institute at Abingdon, Virginia.

He, from the same committee, reported with an amendment,

- ✓ No. 262, House bill entitled an act to amend and re-enact chapter 443 of the Acts of Assembly of 1891-1892, page 740, entitled an act to compensate school trustees, other than clerks, in the counties of Campbell, Appomattox, and Buckingham, approved February 29, 1892, so as to include the county of Cumberland.

And he, from the same committee, reported without amendment,

- ✓ No. 387, House bill entitled an act to amend and re-enact section 2 of an act entitled an act to incorporate Ingram Institute.

Mr. MUSHBACH, from the committee on county, city, and town organizations, reported with a substitute,

- ✓ No. 332, House bill entitled an act to repeal section 9 of chapter 3 of an act of the General Assembly of Virginia, approved March 3, 1894, entitled an act to provide a new charter of the town of Clintwood, in Dickenson county.

He, from the same committee, reported without amendment,

- ✓ No. 273, House bill to regulate the issue and sale of the bonds of the town of Pulaski.

He, from the same committee, reported without amendment,

- ✓ No. 283, House bill to amend and re-enact an act entitled an act to prevent the erection of slaughter-houses within half of a mile of the city of Norfolk, approved March 1, 1878.

He, from the same committee, reported with an amendment,

- ✓ No. 335, House bill to provide a new charter for the city of Roanoke.

And he, from the same committee, reported without amendment,

- ✓ No. 385, House bill to provide for working and keeping in repair the public roads of Buchanan and Dickenson counties.

He, from the same committee, reported without amendment,

- ✓ No. 243, House bill entitled an act empowering the supervisors of Buchanan county to increase the salary of the judge of the county court of said county.

He, from the same committee, reported without amendment,

- ✓ No. 244, House bill entitled an act empowering the board of supervisors of Dickenson county to increase the salary of the judge of the county court of said county.

He, from the same committee, reported without amendment,

- ✓ No. 331, House bill entitled an act to amend and re-enact section 9 of an act of the General Assembly of Virginia, approved March 3rd, 1894, entitled an act to provide a new charter for the town of Clintwood, in Dickenson county.

He, from the same committee, reported without amendment,

- ✓ No. 313, Senate bill to amend and re-enact chapter 598 of the act of the General Assembly of Virginia, approved March 3, 1894, entitled an act in relation to working and keeping in repair the roads and bridges of Alexandria county.

He, from the same committee, reported with amendments,

- ✓ No. 406, Senate bill to amend and re-enact section 1002, chapter 43, of the Code of Virginia, providing how abandoned turnpikes shall be kept in order.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported, with the recommendation that it do not pass,

- ✓ No. 185, Senate bill to repeal an act, approved March 2, 1894, entitled an act to create a board of excise commissioners for Alexandria county.

He, from the same committee, reported without amendment,

- ✓ No. 255, Senate bill to authorize the qualified voters of Alexan-

dria county to vote on the question of the removal of the courthouse from Alexandria city to some point within Alexandria county.

✓ On motion of Mr. GREEN, committee on agriculture, mining and manufacturing were discharged from the further consideration of

✓ No. 530, Senate bill to eradicate the San Jose or pernicious scale a disease affecting fruit trees, and to prevent its spread, and the bill referred to the committee on finance and banks.

Mr. G. W. JACKSON (by request), by leave presented

✓ No. 560, Senate bill for the relief of Wm. Thornton, of Sussex county, a disabled Confederate soldier; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. E. H. JACKSON, by leave, presented

✓ No. 561, Senate bill to amend and re-enact section 11 of an act entitled an act to provide a charter for the city of Winchester, approved April 2, 1874; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. BUCHANAN, by leave, presented

✓ No. 562, Senate bill to amend and re-enact section 11 of an act approved January 22, 1892, entitled an act to amend and re-enact the charter of the town of Marion, Virginia; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. WICKHAM, by leave, presented

✓ No. 563, Senate bill to amend and re-enact section 12 of an act entitled an act to amend and re-enact the charter of the town of Ashland, approved February 15, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. MAYNARD, by leave, presented

✓ No. 564, Senate bill to amend and re-enact section 1 of an act of the General Assembly of Virginia, approved January 9, 1896, entitled an act ratifying and confirming a resolution of the council of the city of Portsmouth, adopted in relation to the terms of its members; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

✓ Mr. MASON, by leave, presented

✓ No. 565, Senate bill to authorize and empower the council of the town of Colonial Beach to borrow money for the use of said corporation; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. BOYKIN, by leave, presented

✓ No. 566, Senate bill to amend and re-enact section 661 of the

Code of Virginia, in relation to delinquent lands, and to add an independent section; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. SANDS, by leave, presented

- ✓ No. 567, Senate bill to prevent deception and manufacture and sale of imitation butter; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. LOVENSTEIN, from the special joint committee to review the laws governing State Hospitals, presented

- ✓ No. 568, Senate bill to amend and re-enact sections 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, and 1696, and to repeal section 1677 of Code of Virginia, in regard to lunatic hospitals and the care of insane persons; which, on his motion, was placed on the calendar.

Mr. LOVENSTEIN, by leave, presented

- ✓ No. 569, Senate bill to provide for the filling of vacancies in the board of police commissioners and the board of fire commissioners of the city of Richmond; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. SRUBBS, by leave, presented

- ✓ A petition from the citizens of Gloucester county as to oyster legislation; which, on his motion, was referred to the committee on fish and game.

Mr. LOVENSTEIN, by leave, presented

- ✓ A report from the special joint committee to review the laws governing State hospitals, with accompanying papers; which, on his motion, was tabled, and ordered to be printed as Senate Document No. 12.

- ✓ Joint resolution for the relief of Jas. G. Field, came up as unfinished business.

- ✓ On motion of Mr. MORRIS, the vote by which the joint resolution was passed by was reconsidered, and, on his further motion, read the third time, and passed with its title, by the following vote—
ayes, 22; noes, 9.

✓ AYES—Messrs. Boykin, Brown, Buchanan, Flanagan, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Keezell, LeCato, Little, Lowry, Mason, Maynard, Morris, Parr, Sands, Snead, Southall, Stubbs, and Wickham—22.

NOES—Messrs. Claytor, Clement, Echols, Fairfax, Jones, Jordan, Tredway, Turnbull and Williams—9.

- ✓ No. 380, Senate bill to amend an act to incorporate Shoemaker College, in Scott county, approved March 1, 1894, was taken up,

and, on motion of Mr. KANE, made a special and continuing order for Thursday, the 13th instant.

✓ No. 410, House bill to regulate the salary of the police justice of the city of Norfolk, on motion of Mr. SANDS, was taken up, out of its order, and he made a motion to recommit the bill to the committee on finance and banks, which was lost by the following vote—ayes, 16; noes, 19.

✓ AYES—Messrs. Barnes, Boykin, Claytor, Clement, Flanagan, Hale, E. H. Jackson, G. W. Jackson, LeCato, Lovenstein, Maynard, Parr, Sands, Snead, Southall and Stubbs—16.

✓ NOES—Messrs. Brown, Buchanan, Echols, Fairfax, Flood, Green, Hay, Jones, Jordan, Kane, Keezell, Little, Lowry, Morris, Mushbach, Tredway, Turnbull, Wickham and Williams—19.

✓ A message was received from the House of Delegates by Mr. POWELL, who informed the Senate that that House was ready to proceed to the election of a judge for the counties of Elizabeth City and Warwick.

On motion of Mr. BARNES, he was ordered to inform the House of Delegates that the Senate was ready on its part to proceed.

✓ Mr. BARNES nominated Baker P. Lee for judge of the counties of Elizabeth City and Warwick.

Ordered, That Mr. LECATO inform the House of Delegates thereof.

✓ A message was received from the House of Delegates by Mr. POWELL, who informed the Senate that no additional nomination had been made in that House.

The roll was then called with the following result:

✓ For Baker P. Lee, - - - 32

Senators who voted for BAKER P. LEE—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, G. W. Jackson, Jones, Jordan, Keezell, LeCato, Little, Lovenstein, Lowry, Maynard, Morris, Mushbach, Parr, Sands, Snead, Southall, Stubbs, Tredway, Turnbull, Wickham and Williams—32.

✓ Messrs. SNEAD and JACKSON were appointed a committee on the part of the Senate, to meet a similar committee on the part of the House of Delegates, and count the joint vote, who, through their chairman, Mr. SNEAD, reported:

For judge of the counties of Elizabeth City and Warwick—

Whole number of votes cast,	-	-	-	115
Necessary to a choice,	-	-	-	58
Of which Baker P. Lee received	-	-	-	115

✓ Baker P. Lee having received all of the votes cast, was declared duly elected judge for the counties of Elizabeth City and Warwick.

✓ No. 170, Senate bill entitled an act to provide for the method of voting by ballot, being the special order of the day, was taken up, and Mr. HAY proposed the following:

✓ Resolved, That on Thursday, February 20, 1896, at three P. M., debate shall close on Senate bill, No. 170, and that the vote on the engrossment of said bill shall then be taken, the friends and opponents of the bill to arrange among themselves the order of debate.

✓ Which was agreed to.

✓ Mr. WICKHAM presented a substitute to the pending bill.

✓ Mr. FLOOD moved to postpone the further consideration of the special order until to-morrow, one o'clock, which was agreed to.

✓ No. 207, Senate bill, being also a special order and companion bill to No. 170, Senate bill; on motion of Mr. HALE, was postponed until to-morrow at one o'clock.

✓ No. 191, House bill for the protection of game in the county of Prince William; on motion of Mr. MUSHBACH, was taken up, out of its order, and, on his further motion, laid on the table.

✓ No. 113, Senate bill to create the office of insurance commissioner, came up as unfinished business, and, on motion of Mr. MASON, passed by until to-morrow at one o'clock.

✓ No. 188, Senate bill to create a fish commission, define the duties and fix the salaries of its members, was taken up, and on motion of Mr. MORRIS, passed by until Friday, 14th inst,

✓ No. 17, Senate bill to amend and re-enact section 5 of an act of the General Assembly of Virginia, approved February 12, 1894, entitled an act to establish the law and equity court of the city of Richmond, and to define its jurisdiction and relation to the other courts of said city, was taken up, read the third time, and rejected by the following vote—ayes, 16; noes, 15.

AYES—Messrs. Barnes, Boykin, Brown, Fairfax, Flanagan, Flood, Hay, Kane, LeCato, Lowry, Maynard, Sands, Snead, Southall, Stubbs, and Wickham—16.

NOES—Messrs. Claytor, Clement, Echols, Hale, E. H. Jackson, G. W. Jackson, Jones, Keezell, Lovenstein, Morris, Mushbach, Parr, Tredway, Turnbull, and Williams—15.

✓ On motion of Mr. LOVENSTEIN, the vote by which the bill was rejected was reconsidered, and on motion of Mr. WICKHAM, the bill was passed by.

✓ No. 348, Senate bill to amend and re-enact section 7 of an act entitled an act to amend and re-enact section 2134 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re enact sections 2131, 2133, 2135, 2137, 2148, 2152, 2153, and to repeal sections 2141, 2142, 2143, 2144, 2145 and 2147 of chapter 97 of the Code of Virginia in relation to oysters, and to add independent sections thereto, approved February 25, 1892, and to amend and re-enact sections 6 and 7 of the said act, approved February 25, 1892, approved March 5, 1894, was taken up, read the third time, and passed with its title.

✓ No. 539, Senate bill to amend and re-enact an act entitled an act to authorize the board of supervisors of Pittsylvania county to issue bonds of said county for the purpose of raising money to pay off bonds of said county, approved February 7, 1894, as amended and re-enacted by an act approved December 20, 1895, was taken up, and, on motion of Mr. TREDWAY, passed by; and on his further motion, the vote by which the bill was ordered to be engrossed was reconsidered. Agreed to.

✓ No. 227, House bill to relieve Mrs. Catherine Sweeney from effects of erroneous taxation for the years 1892, 1893, 1894, and 1895, was taken up, read the third time, and passed with its title by the following vote—ayes, 21; noes, 6.

AYES—Messrs. Clement, Flanagan, Flood, Hale, Hay, G. W. Jackson, Jordan, Keezell, LeCato, Lovenstein, Lowry, Mason, Morris, Mushbach, Parr, Sands, Sneed, Southall, Stubbs, Tredway, and Wickham—21.

NOES—Messrs. Brown, Echols, Jones, Little, Turnbull, and Williams—6.

✓ No. 263, House bill to amend and re-enact section 1492 of the Code of Virginia, 1887, in relation to the attendance of children in public schools, was taken up, read the third time, and passed with its title by the following vote—ayes, 18; noes, 13.

AYES—Messrs. Claytor, Clement, Echols, Flanagan, Flood, Hale, E. H. Jackson, G. W. Jackson, LeCato, Little, Lovenstein, Mason, Maynard, Mushbach, Parr, Sneed, Southall, and Stubbs—18.

NOES—Messrs. Boykin, Brown, Jones, Jordan, Kane, Keezell, Lowry, Morris, Tredway, Turnbull, Wickham, and Williams—13.

On motion of Mr. HAY, the Senate adjourned until to-morrow, twelve o'clock.

WEDNESDAY, FEBRUARY 12, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows;

In House of Delegates, February 11, 1896.

✓ The House of Delegates has agreed to the amendment of the Senate to House bill entitled an act to protect game in the county of Fairfax, No. 119.

✓ They have passed with amendments, Senate bills entitled an act to incorporate the Virginia Telephone Manufacturing Company, No. 359; an act to amend and re-enact section 2197 of the Code of

Virginia, 1887, relating to burial of pigs and fowls that die from disease, No. 382.

✓ They have passed Senate bills entitled an act to have the boundaries of certain natural oyster beds, rocks, and shoals in Mathews county surveyed and plats made of same, No. 84; an act to amend and re-enact the third section of an act to incorporate the Berkley Street Railway Company, and to authorize it to dispose of so much of its electric power as it may not need for the propulsion of its cars, No. 493; an act to ratify, confirm, and approve charters incorporating joint stock companies granted by the circuit or corporation courts of this State, or by the judge of any such court in vacation, in which the capital stock is not in excess of ten thousand dollars, and the directors, including the president, are fixed at three, No. 423; an act to authorize the Munsen Manufacturing Company to erect a wharf or wharves along its water front on Urbanna creek, at Urbanna, in Middlesex county, Va., No. 453; and an act to incorporate the Norfolk and Newport News Ferry Company, No. 478.

✓ They have passed House bills entitled an act in relation to insurance companies and associations, No. 401; an act to amend and re-enact section 1 of an act entitled an act to provide a new charter for the town of Wytheville, Va., approved February 26, 1886 (Acts 1885-86, page 293), as amended by an act approved February 25, 1892 (Acts 1891-92, page 654), and to amend and re-enact section 42 of said act as amended by an act approved January 28, 1890 (Acts 1889-90, page 187), and to amend and re-enact section 45 of said act, approved February 26, 1886 (Acts 1885-86, page 293), No. 272; an act to amend and re-enact section 2042 of the Code of 1887, as amended by chapter 307 of the Acts of Assembly, 1887-8, approved March 1, 1888, entitled an act in relation to trespass by cattle, &c., No. 334; an act in relation to the fencing of railway tracks in the county of Franklin, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 351; an act to amend and re-enact sections 2, 4, and 10 of the charter of the town of Shenandoah, Page county, Va., approved February 12, 1884, as amended by acts approved February 6, 1890, and to add thereto sections 13, 14, 15, 16, and 17, No. 418; an act in relation to officers and teachers of public free schools having any pecuniary benefit in furnishing books, &c., to public free schools in this State, No. 420; an act to permit Dr. Z. B. Moorman to practice dentistry in Virginia, No. 426; an act to incorporate the Virginia Telephone Manufacturing Company, No. 452; and an act to amend and re-enact section 4016 of the Code of Virginia as amended and re-enacted by an act approved February 12, 1894, in relation to where criminal offences committed in counties and cities are to be tried, and when and by whom the venire facias is to be issued, No. 454.

✓ In which amendments and bills they request the concurrence of the Senate.

- ✓ No. 359, Senate bill to incorporate the Virginia Telephone Manufacturing Company, was taken up, and the amendments proposed by the House of Delegates agreed to.
- ✓ No. 382, Senate bill to amend and re-enact section 2197 of Code of Virginia 1887, relating to burial of hogs and fowls that die from disease, was taken up, and the amendments proposed by the House of Delegates agreed to.
- ✓ No. 401, House bill entitled an act in relation to insurance companies and associations, was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 272, House bill entitled an act to amend and re-enact section 1 of an act entitled an act to provide a new charter for the town of Wytheville, Va., approved February 26, 1886 (Acts 1885-'86, page 293), as amended by an act approved February 25, 1892 (Acts 1891-'92, page 654), and to amend and re-enact section 42 of said act, as amended by an act approved January 28, 1890 (Acts 1889-'90, page 187), and to amend and re-enact section 45 of said act, approved February 26, 1886 (Acts 1885-'86, page 293), was taken up, twice read, and on motion of Mr. GREEN (the rules being suspended therefor), placed on the calendar.
- ✓ No. 334, House bill entitled an act to amend and re-enact section 2042 of the Code of 1887, as amended by chapter 307 of the Acts of Assembly of 1887-'88, approved March 1, 1888, entitled an act in relation to trespass by cattle, &c., was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 351, House bill entitled an act in relation to the fencing of railway tracks in the county of Franklin, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 418, House bill entitled an act to amend and re-enact sections 2, 4 and 10 of the charter of the town of Shenandoah, Page county, Va., approved February 12, 1884, as amended by acts approved February 6, 1890, and to add thereto sections 13, 14, 15, 16, and 17, was taken up, twice read, and referred to the committee on county, city and town organizations.
- ✓ No. 420, House bill entitled an act in relation to officers and teachers of public free schools having any pecuniary benefit in furnishing books, &c., to put in free schools in this State, was taken up, twice read, and referred to the committee on public institutions and education.
- ✓ No. 426, House bill entitled an act to permit Dr. Z. B. Moorman to practice dentistry in Virginia, was taken up, twice read, and, on motion of Mr. CLEMENTS (the rules being suspended therefor), placed on the calendar.
- ✓ No. 452, House bill entitled an act to incorporate the Virginia Telephone Manufacturing Company, was taken up, twice read, and referred to the committee on general laws.

✓ No. 454, House bill entitled an act to amend and re-enact section 4016 of the Code of Virginia, as amended and re-enacted by an act approved February 12, 1894, in relation to where criminal offences committed in counties and cities are to be tried, and when and by whom the venire facias is to be issued, was taken up, twice read, and referred to the committee for courts of justice.

Mr. ECHOIS, from the committee on roads and internal navigation, reported without amendment.

✓ No. 549, Senate bill to amend and re-enact sections 1 and 6 of an act entitled an act to incorporate the Mineral Belt Railway and Tramway Company, approved January 18, 1896.

He, from the same committee, reported without amendment,

✓ No. 363, Senate bill to amend and re-enact an act entitled an act to incorporate the Alexandria and Fairfax Passenger Railway Company, approved February 18, 1890, and to amend and re-enact an act entitled an act to amend and re-enact the first section of an act approved February 18, 1890, entitled an act to incorporate the Alexandria and Fairfax Passenger Railway Company, approved February 25th, 1892.

He, from the same committee, reported with amendments,

✓ No. 512, Senate bill to incorporate the Southeastern and Atlantic Railroad Company.

He, from same committee, reported with amendments,

✓ No. 534, Senate bill to incorporate the Portsmouth, Pig's Point and Newport News Railway, Ferry and Hotel Company.

He, from the same committee, reported without amendment,

✓ No. 554, Senate bill to authorize the increase of the capital stock of the Portsmouth Street Railway Company.

He, from the same committee, reported with an amendment,

✓ No. 330, House bill to incorporate the Potomac River Railroad Company.

And he, from the same committee, reported without amendment,

✓ No. 328, House bill entitled an act to incorporate the Blackburg Railway Company.

Mr. WICKHAM, from the committee on finance and banks, reported with amendments,

✓ No. 48, House bill to amend and re-enact a special revenue bill, approved February 22, 1890.

He, from the same committee, reported with amendments,

✓ No. 255, House bill to allow J. Winston Repass and his deputies further time to collect tax tickets now in their hands.

He, from the same committee, reported without amendment,

✓ No. 374, House bill entitled an act to give to John C. Hall, late treasurer of the county of Franklin, and his deputies, power of levy and distress to collect certain uncollected tax tickets now in his hands.

He, from the same committee, reported without amendment,

✓ No. 375, House bill entitled an act to allow James M. Crymes,

deputy treasurer of Lunenburg county, time to collect unpaid tax tickets, now in his hands.

He, from the same committee, reported with recommendation that it be referred to the committee on general laws,

- ✓ No. 399, House bill entitled an act for the relief of J. H. Hickey and H. F. Jackson.

And it was ordered to be so referred.

He, from the same committee, reported with amendments,

- ✓ No. 411, Senate bill to amend and re-enact section 860, Code of Virginia, as to how warrants are paid, and to receive county and school warrants and jury and witness tickets for the payment of taxes.

He, from the same committee, reported with a substitute,

- ✓ No. 509, Senate bill to provide for a method for the better assessment of personal property under the control of fiduciaries and the several courts of the Commonwealth.

And he, from the same committee, reported without amendment,

- ✓ No. 526, Senate bill to repeal an act entitled an act making it unlawful for insurance companies, not incorporated by the laws of the State of Virginia, but legally admitted to do business therein, to place, or cause to be placed, insurance on property in this State, in offices outside of the State, in violation of the tax laws of the State of Virginia, and prescribing penalties for violation of the same, and prescribing the duties and compensation of the auditor of public accounts in relation thereto; and providing for renewal of license privileges of companies doing business in this State, approved February 5, 1896.

Mr. SANDS, from the committee on general laws, reported with an amendment,

- ✓ No. 115, Senate bill to require corporations to furnish for record in the clerk's office of the county court of Wythe county the names of their officers and directors, and prescribing the penalty for failure to do so.

- ✓ He, from the same committee, reported with amendments,

No. 136, Senate bill to define trusts, and to provide for penalties and punishment of corporations, persons, firms and associations, and associations of persons connected with them, and to promote free competition in the State of Virginia, and to repeal all laws in conflict with this act.

- ✓ And he, from the same committee, reported with amendments,

- ✓ No. 292, House bill to amend the charter of the Citizens Bank of Norfolk, Va.

Mr. ECHOLS, by leave, presented

- ✓ No. 570, Senate bill to enlarge the corporate limits of the city of Staunton, and to extend the jurisdiction of the hustings court and police justice thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

✓ Mr. KANE, by leave, presented

✓ No. 571, Senate bill for the relief of J. H. Wingfield; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. G. W. JACKSON, by leave, presented

✓ No. 572, Senate bill to amend and re-enact an act entitled an act to incorporate the town of Emporia, in county of Greenville, Va.; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

✓ Mr. KEEZELL, by leave, presented

✓ No. 573, Senate bill in relation to the fencing of railway tracks in the county of Rockingham, defining when the corporations are not liable for injuries, and establishing their liability in certain cases; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. KEEZELL moved to suspend the rules and place the bill on the calendar, which was rejected by the following vote—ayes, 9; noes, 20.

AYES—Messrs. Clement, Flanagan, Hay, G. W. Jackson, Keezell, Mushbach, Parr, Turnbull and Withers—9.

NOES—Messrs. Barnes, Boykin, Echols, Fairfax, Flood, Green, Hale, Jones, Jordan, Kane, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Sands, Snead, St. Clair and Williams—20.

✓ Mr. LOVENSTEIN, by leave, presented

✓ No. 574, Senate bill to relieve Joshua C. Owen, a disabled Confederate soldier, of Richmond, Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

The unfinished business of yesterday being

✓ No. 113, Senate bill to create the office of insurance commissioner, was taken up, and the substitute proposed by Mr. LOVENSTEIN being under consideration,

✓ Mr. FAIRFAX moved to amend substitute, which was agreed to.

Mr. BROWN's amendment to strike out section 8 was rejected.

Mr. BROWN proposed to amend substitute still further by striking out section 6, which was rejected.

✓ The vote then recurring on the substitute as amended, was rejected.

✓ The committee's substitute to the original bill was then taken up, and, on motion of Mr. SANDS, amended, and, as amended, agreed to, and the substitute, as amended, ordered to be engrossed and read a third time by the following vote—ayes, 20; noes, 9.

AYES—Messrs. Boykin, Echols, Flanagan, Green, Hay, E. H. Jackson, Jordan, Kane, LeCato, Little, Lowry, Mason, Maynard, Morris, Mushbach, Sands, Snead, St. Clair, Williams and Withers—20.

NOES—Messrs. Brown, Clement, Fairfax, Hale, G. W. Jackson, Keezell, Lovenstein, Parr and Turnbull—9.

✓ No. 443, Senate bill to amend the Code in relation to insurance companies—being a companion bill to Senate bill No. 113—was taken up, and, on motion of Mr. MORRIS, passed by until to-morrow.

✓ A message was received from the House of Delegates by Mr. SAUNDERS, informing the Senate that that House insist on its disagreement to Senate amendment to House bill No. 180.

✓ On motion of Mr. JONES, the Senate insist on its amendment, agreed to, and, on his further motion, a committee of conference of the two Houses was ordered to consider the amendment and report to their respective bodies, and Mr. JONES ordered to inform the House of Delegates thereof.

✓ No. 179, Senate bill to provide for the method of voting by ballot, being the special order of the day, was taken up, and, on motion of Mr. FLOOD, passed by until to-morrow, one o'clock.

✓ No. 207, Senate bill, a companion bill to No. 170, and a special order for to-day, was taken up.

Mr. HALE urged that the bill should be considered to-day.

✓ Mr. LOVENSTEIN moved to pass by until to-morrow, one o'clock, which was agreed to by the following vote—ayes, 17; noes, 15.

AYES—Messrs. Barnes, Boykin, Brown, Clement, Echols, Jones, Jordan, Kane, Keezell, Little, Lovenstein, Lowry, Mushbach, Sands, Snead, Southall, and St. Clair—17.

NOES—Messrs. Claytor, Fairfax, Flanagan, Flood, Green, Hale, Hay, G. W. Jackson, Mason, Maynard, Morris, Parr, Turnbull, Williams, and Withers—15.

The following House bills were taken up, read the third time, and passed with their titles:

✓ No. 318, House bill entitled an act to incorporate the Virginia State Firemen's Association.

✓ No. 357, House bill entitled an act to amend and re-enact section 875 of the Code of Virginia 1887, in relation to the salary of the superintendent of the poor in Buckingham county.

✓ No. 84, House bill to regulate the sale of goods marked "sterling," sterling silver, coin or coin silver, and to regulate the sale of merchandise made of gold.

✓ No. 184, House bill allowing Jos. T. Fudge, treasurer of Alleghany county, further time to distrain, levy, and collect certain tax tickets and license taxes for which he has accounted to the State.

✓ No. 221, House bill for extending the time for collection of certain taxes and levies by the treasurer of Fluvanna county and his deputies.

✓ No. 223, House bill for extending the time for collection of cer-

tain taxes and levies by the treasurer of Goochland county and his deputies.

✓ No. 254, House bill to allow J. N. Eason, of Norfolk county, further time in which to collect certain tax tickets in his hands not returned delinquent.

✓ No. 257, House bill for the relief of N. T. Sedwick, B. F. Strickler and Frank Phillips, deputy treasurers of W. O. Yager, late treasurer of Page county.

✓ No. 258, House bill to allow V. B. Gilmer, treasurer of Russell county, further time for collecting uncollected taxes in Russell county.

✓ No. 259, House bill to allow E. W. Maxwell, treasurer of Wise county, and his deputies, power of levy and distress to collect certain uncollected tax tickets now in his hands.

✓ No. 288, House bill to give Claudius Humphries, late deputy treasurer of Lancaster county, power of levy and distress to collect certain uncollected tax tickets in his hands.

✓ No. 289, House bill to extend the time for collecting taxes in Roanoke city and Roanoke county.

✓ No. 308, House bill to allow the treasurer of Washington county additional time to levy for and collect tax tickets held by said treasurer and not returned delinquent.

✓ No. 309, House bill to allow J. W. Bonner, treasurer of Bath county, further time to distrain, levy, and collect certain tax tickets and license taxes for which he has accounted to the State.

✓ No. 310, House bill to allow William Mayo and his deputy, further time to collect tax tickets now in their hands.

✓ No. 311, House bill allowing James M. Colly, late treasurer of Dickenson county, and his deputies, further time for collecting uncollected taxes in Dickenson county.

✓ No. 171, House bill to amend and re-enact section 3034 of the Code of Virginia with reference to the judgment of a court or judge trying a writ of habeas corpus.

✓ No. 109, House bill to amend and re-enact section 3960 of the Code of Virginia with reference to bail in criminal cases, when allowed, and by whom.

✓ No. 279, House bill in reference to compensation of supervisors of Lee county, Virginia.

✓ No. 239, House bill to amend and re-enact section 2164 of the Code of Virginia, in reference to when license to dredge oysters granted to residents; application therefor, as amended and re-enacted by act approved March 5, 1894.

✓ No. 362, House bill entitled an act to authorize the common council of the city of Fredericksburg to execute and deliver the bonds of said city for \$10,000 to the Assembly's Home and School at Fredericksburg, Va., and to authorize that corporation, in consideration thereof, to provide instruction to certain pupils of the

free schools of said city, was taken up, and, on motion of Mr. LITTLE, the bill was indefinitely postponed.

- ✓ No. 195, House bill to constitute capitation tax a lien upon real estate owned by the person at the time such capitation tax is assessed, was taken up, and, on motion, of Mr. E. H. JACKSON, passed by.

- ✓ No. 196, House bill for the relief of W. H. Perkins, treasurer of the county of Middlesex, and to authorize the auditor of public accounts to credit said treasurer with lost school warrants, was taken up, read the third time, and passed with its title, by the following vote—ayes, 32; noes, none.

AYES—Messrs. Barnes, Boykin, Brown, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezel, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Parson, Sands, Snead, Southall, St. Clair, Turnbull, Williams and Withers—32.

NOES—None.

- ✓ No. 222, House bill to impose a tax on collateral inheritances and regulate the collection of same, was taken up, read the third time, committee's amendments agreed to, and, on motion of Mr. TURNBULL, the bill was further amended and, as amended, passed with its title.
- ✓ No. 307, House bill for the relief of John R. Read, late treasurer of Northampton county, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 54, House bill to prevent the extermination of game in the counties of Fauquier and Loudoun, was taken up, read the third time, and, on motion of Mr. FAIRFAX, indefinitely postponed.
- ✓ No. 304, House bill to protect fish in the York, Mattaponi and Pamunkey rivers, by preventing fishing with any fixed device in said rivers, except gill stake-nets in water over certain depths, and to amend and re-enact an act approved March 2, 1894, entitled an act to protect fish in the Mattaponi, Pamunkey and York rivers, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 252, House bill to amend and re-enact an act entitled an act for the protection of fish in Pig river and Blackwater, approved February 27, 1894, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 240, House bill to amend and re-enact an act approved March 7, 1894, entitled an act to amend and re-enact an act entitled an act to protect game in the county of King and Queen, approved January 31, 1890, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 208, House bill to protect rabbits (or hares) and deer, in the county of Chesterfield, was taken up, read the third time, and committee's amendments agreed to, and passed with its title.
- ✓ No. 155, House bill to protect partridges (or quail) in the county

- ✓ of Montgomery, was taken up, read the third time, committee's amendments agreed to, and passed.
- ✓ On motion of Mr. HAY, the title was amended so as to correspond with the changes in the bill.
- ✓ No. 140, House bill to prevent the extermination of game in Clarke county, was taken up, read the third time, and passed with its title.
- ✓ No. 117, House bill to repeal an act for the better protection of game in Nansemond county, relative to killing of rabbits (or hares), was taken up, read the third time, and committee's amendments agreed to, and passed—title amended to correspond.
- ✓ No. 82, House bill to amend the law for the protection of game in Frederick county, Va., was taken up, read the third time, and passed with its title.
- ✓ No. 70, House bill to protect deer, partridges (quail), song-birds, wild turkeys, squirrels, hares and wild ducks, in the county of King William, was taken up, read the third time, and the substitute proposed by the committee amended, and as amended agreed to and passed with its title..
- ✓ No. 30, House bill for the protection of game and song-birds in the counties of Buckingham and Cumberland, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 218, House bill to authorize land owners to erect and maintain gates across private roads, was taken up, read the third time, and on motion of Mr. JONES, recommitted to the committee on county, city and town organizations.
- ✓ No. 302, House bill to prohibit the running at large of horses, colts and hogs on the Valley turnpike in the county of Rockingham, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 178, House bill entitled an act to protect sub-contractors, supply men and laborers, was taken up, read the third time, and passed with its title by the following vote—ayes, 17; noes, 11.

AYES—Messrs. Claytor, Clement, Flanagan, Green, Hale, Hay, G. W. Jackson, Keezell, LeCato, Lowry, Mason, Maynard, Mushbach, Parr, Snead, Tredway and Turnbull—17.

NOES—Messrs. Brown, Echols, Jones, Little, Lovenstein, Morris, Sands, Southall, St. Clair, Williams and Withers—11.

- ✓ No. 238, House bill to amend and re-enact section 5 of an act to create a board of excise commissioners for Alexandria county, approved March 2, 1894, was taken up, read the third time, and on motion of Mr. MUSHBACH, passed by.
- ✓ No. 521, Senate bill to amend the charter of the town of Keyesville, Charlotte county, was taken up, and on motion of Mr. WILLIAMS, the committee of county, city and town organizations was

relieved from the further consideration of the bill, and it was placed on the calendar.

✓ No. 539, Senate bill to amend and re-enact an act entitled an act authorizing the board of supervisors of Pittsylvania county to issue the bonds of said county for the purpose of raising money to pay off bonds of said county, approved February 7, 1894, as amended and re-enacted by an act approved December 20, 1895, was taken up, read the third time, and passed with its title.

✓ No. 17, Senate bill to amend and re enact section 5 of an act of the General Assembly of Virginia, approved February 12, 1894, entitled an act to establish the law and equity court of the city of Richmond, and to define its jurisdiction and relation to the other courts of said city, was taken up, and on motion of Mr. LOVENSTEN passed by until Tuesday, 18th inst.

On motion of Mr. HAY, the clerk was ordered to communicate to the House of Delegates all the House bills acted on by the Senate to day.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported without amendment,

✓ No. 300, House bill to amend and re-enact section 87 of the charter of the city of Richmond as amended by an act approved February 25, 1892, entitled an act to amend and re-enact sections 123, 87 and 94, and subdivisions 5 and 6 of section 19 of the charter of the city of Richmond.

On motion of Mr. HAY, the Senate adjourned until to-morrow at twelve o'clock.

THURSDAY, FEBRUARY 13, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Geo. Cooper.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates, by the clerk, was read as follows:

In House of Delegates, February 12, 1896.

✓ The House of Delegates has passed Senate bills entitled an act to amend and re enact section 2919 of the Code, as amended and re enacted by an act approved February 29, 1888, in relation to the limitations of suits, No. 25; an act for the relief of W. H. Ewin, treasurer of Prince Edward county, No. 286; and an act for the relief of Sterling Willis, of Scott county, Va., No. 389.

✓ They have agreed to the amendments of the Senate to House bills entitled an act in relation to unlawful detainer in the city of Alexandria, No. 270; and an act to repeal section 1916 of the Code.

✓ of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 1916 of the Code, in relation to the duties of the sealer of weights and measures, approved February 9, 1892, No. 281.

✓ They have passed with amendments Senate bills entitled an act to authorize the board of public works to accept certain bonds in payment of the indebtedness of Emory and Henry College to the Commonwealth of Virginia, No. 401; and an act to prohibit any fire insurance company incorporated or licensed in this State from issuing a policy or policies of insurance on any single risk for more than ten per centum of its capital stock and assets; or if a mutual company, for more than five per centum of its cash assets, and providing the penalty for so doing, No. 34.

✓ They have passed House bills entitled an act to regulate the killing and capture of deer and other game in Botetourt county, No. 303; an act to amend and re-enact chapter 559 of an act approved March 1, 1892, Acts 1891-'92, entitled an act to amend and re-enact sections 3807 and 3810 of the Code of Virginia 1887, relating to the protection of religious meetings and meetings for the promotion of the cause of temperance, No. 390; an act to prohibit the several cities and towns of the Commonwealth from imposing and collecting any tax, fine, or other penalty, upon persons selling their own farm and domestic products within the limits of any such town or city outside of and from under the regular market-houses and sheds of such towns and cities, No. 398; an act to authorize the county court of Buckingham county to establish a public ferry across James river at or adjacent to Howardsville, between the counties of Buckingham and Albemarle or Nelson, adjacent to or near to the public ferry already established across said river at said point, No. 428; an act to amend the charter of Roanoke Mineral Belt Line Railroad Company, Acts of 1893-'94, chapter 189, No. 432; an act in relation to fencing of railway tracks in the counties of Accomac and Northampton, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 434; an act to provide for the salary of the judge of the county court of the county of Warwick, No. 435; an act authorizing the board of supervisors of Page county to apply any surplus that may arise from what is known as the railroad tax to the payment of the amount expended by said board in the erection of a jailor's residence and jail in said county, No. 438; an act to prevent pool-selling, &c., upon the results of any trials of speed of any animals or beasts taking place without the limits of the Commonwealth, No. 461; an act to amend and re-enact section 2295 of the Code, in relation to the liability of the corpus of the equitable separate estate of married women for their contracts, No. 419; an act to give Jas. M. Booth, treasurer of Northumberland county, power of levy and distress to collect certain uncollected tax tickets in his hands, No. 443; an act to refund to W. E. Varner and others taxes improperly

✓ paid by them, No. 445; an act to allow Joel Shelly, late deputy treasurer of Scott county, further time of one year to distrain and levy for taxes for the year 1892, No. 446; an act to allow Harvey Terry and Lucius C. Burke, deputies for Robert S. Ryland, late treasurer of King William county, one year longer from the passage of this bill to collect tax tickets in their hands for the years 1891, 1892, 1893, and 1894, No. 447; an act to fix the penalty of the bond of the treasurer of Bedford county, requiring every sixty days statement of collections and payment into the treasury of the State revenues, and to empower the board of supervisors to recommend to the county court that it demand a new or additional bond, No. 448; an act to incorporate the trustees of Warwick Lodge, Knights of Pythias, No. 72, No. 449; an act to authorize the sale of the church and lot on Mayo street in Richmond, known as the Universalist-Unitarian church, No. 450; an act to prevent cruelty to children, and to regulate and provide for their control and custody in certain cases, No. 451; an act to incorporate the Grayson County Farmers Mutual Benevolent Fire Insurance Company, No. 453; an act to amend and re-enact an act approved March 3, 1880, entitled an act to incorporate the town of Hillsboro, in the county of Loudoun, No. 458; an act to amend and re enact sections 4, 5 and 8 of an act approved February 1, 1894, entitled an act to provide for working the roads in Northampton county, approved March 2, 1892, as amended by an act approved February 23, 1894, No. 459; an act to amend an act approved March 25, 1872, &c., declaring certain streams in Charlotte county to be highways, No. 460; an act to incorporate the Eastern Midland Railway Company, No. 466; an act to incorporate the Southern Improvement and Terminal Company, No. 468; an act to authorize the district school board of Petsworth district, Gloucester county, Va., to sell certain land bought by them, but not needed for public school purposes, No. 471; an act to allow M. Thornton, deputy treasurer of Gloucester county, further time in which to collect unpaid tax tickets now in his hands, No. 472; an act to incorporate the town of Saxis, in the county of Accomac, No. 473; an act to amend and re-enact section 14 of an act entitled an act to provide for the working of and keeping in repair the public roads and bridges of Page county, for opening new roads, and changing the location of existing roads, approved February 14, 1888, No. 474; an act to amend and re-enact an act approved January 28, 1890, entitled an act to amend and re-enact chapter 238 of Acts of 1883-84, in relation to the times for holding the circuit courts in the fourth judicial district, No. 475; an act to amend and re-enact section 1 of an act entitled an act to provide for the time of holding terms of court in the sixth judicial circuit of Virginia, approved February 27, 1894, No. 476; an act to protect all payments made to the holder of any policy in any accident company, sick benefit company, or any company of like kind, from levy and distress

for any debt due by the insured, No. 477; an act to determine how cost shall be taxed in cases of joint indictment, No. 479; an act to amend and re-enact section 3969 of the Code of Virginia with reference to when a justice to discharge an accused person who is before him for examination, and what to do when there is sufficient cause to charge him, No. 480; an act to amend and re-enact section 3890 of the Code of Virginia in relation to offences committed without and made punishable within the State, where prosecuted, and making liable to punishment persons committing robbery or larceny beyond the State and bringing the stolen property within the same, No. 481; an act providing that when a mortal wound or injury is inflicted by a person within the State upon one outside the same, or upon one in this State who afterwards dies from the effects of the same outside of the State, that the offender shall be amenable to punishment, and where he may be prosecuted, No. 482; an act to amend the third, fifteenth, sixteenth, and nineteenth sections, and to repeal and re enact sections 14 and 17 of an act passed March 2, 1892, entitled an act to provide for opening and keeping in repair the public roads of Pulaski county, No. 484; an act to empower the town council of Berryville to borrow money to construct an electric plant for lighting said town, No. 485; an act to incorporate the Nassawadox Lumber and Barrel Manufacturing and Building Company, in the county of Northampton, No. 487; an act empowering the judge of the circuit court of Russell county to order certain causes to be properly indexed by the clerk thereof, No. 488; an act to allow the treasurer of Stafford county additional time to levy for and collect tax tickets held by said treasurer and not returned delinquent, No. 491; an act to incorporate the McCullough Terminal Railway, Wharf, and Warehouse Company, No. 494; an act to prohibit winter racing in the State of Virginia, No. 498; an act to authorize the board of supervisors of Bath county, in their discretion, to levy a tax, not exceeding twenty cents on the taxable value of said county, for county and school purposes, No. 499; an act relating to removing the county court house of Alexandria county, Va., to some site in the county, No. 500; an act in relation to the fencing of railway tracks in the county of Rockbridge, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 503; an act to provide for the fencing of railway tracks in the county of Orange, No. 505; an act in relation to fencing of railway tracks in the county of Culpeper, No. 506; an act in relation to the fencing of railway tracks in the county of Isle of Wight, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 507; an act in relation to the fencing of railroad tracks in the county of Halifax, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 508; an act in relation to the fencing of railway tracks in the county of Pittsylvania, defining when the corporations are not liable for inju-

ries, and establishing their liability in certain cases, No. 509; an act in relation to the fencing of railway tracks in the counties of Nansemond and Southampton, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 510; an act in relation to the fencing of railway tracks in the county of Amherst, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 511; an act in relation to the fencing of railway tracks in the county of Smyth, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 512; and an act to authorize the trustees to sell the Williams or Stoneberger church property in Page county, Va., and invest proceeds, No. 513.

In which amendments and bills they request the concurrence of the Senate.

✓ No. 401, Senate bill to authorize the board of public works to accept certain bonds in payment of the indebtedness of Emory and Henry College to the Commonwealth of Virginia, was taken up, and the amendment proposed by the House of Delegates agreed to.

✓ No. 34, Senate bill to prohibit any fire insurance company, incorporated or licensed in this State, from issuing a policy or policies of insurance on any single risk for more than ten per cent. of its capital stock and assets; or, if a mutual company, for more than five per cent. of its cash assets; and providing the penalty for so doing, was taken up, and on motion of Mr. MUSHBACH, re-committed to the committee on finance and banks, by the following vote—ayes, 16; noes, 14:

AYES—Messrs. Echols, Fairfax, Flood, Green, Jones, Jordan, Kane, Little, Lovenstein, Mason, Mushbach, Parr, Southall, Wickham, Williams, and Withers—16.

NOES—Messrs. Boykin, Brown, Claytor, Clement, Hale, Hay, G. W. Jackson, Keezell, McIlwaine, Morris, Sands, Snead, St. Clair, and Turnbull—14.

✓ No. 303, House bill entitled an act to regulate the killing and capturing of deer and other game in Botetourt county, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 390, House bill entitled an act to amend and re-enact chapter 559 of an act approved March 1, 1892, acts 1891-'92, entitled an act to amend and re-enact sections 3807 and 3810 of the Code of Virginia 1887, relating to the protection of religious meetings and meetings for the protection of the cause of temperance, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 398, House bill entitled an act to prohibit the several cities and towns of the Commonwealth from imposing and collecting any tax, fine, or other penalty upon persons selling their own farm or domestic product within the limits of any such town or city, outside of and from under the regular market houses and sheds of such towns and cities, was taken up, twice read, and referred to the committee on county, city, and town organizations.

- ✓ No. 428, House bill entitled an act to authorize the county court of Buckingham county to establish a public ferry across James river at or adjacent to Howardsville, between the counties of Buckingham and Albemarle or Nelson, adjacent to or near to the public ferry already established across said river at said point, was taken up, twice read, and referred to the committee on county, city, and town organizations.
- ✓ No. 432, House bill entitled an act to amend the charter of Roanoke Mineral Belt Line Railroad Company, acts of 1893-'94, chapter 189, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 434, House bill entitled an act in relation to fencing of railway tracks in the counties of Accomac and Northampton, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 435, House bill entitled an act to fix the salary of the judge of the counties of Elizabeth City and Warwick, as judge of the county court of the said county of Warwick, and to provide for the payment of the same, was taken up, twice read, and referred to the committee on county, city, and town organizations.
- ✓ No. 438, House bill entitled an act authorizing the board of supervisors of Page county to apply any surplus that may arise from what is known as the railroad tax to the payment of the amount expended by said board in the erection of a jailor's residence and jail in said county, was taken up, twice read, and on motion of Mr. HAY (the rules being suspended therefor), placed on the calendar.
- ✓ No. 461, House bill entitled an act to prevent pool selling, and so forth, upon the results of any trials of speed of any animals or beasts taking place without the limits of the Commonwealth, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 419, House bill entitled an act to amend and re-enact section 2295 of the Code, in relation to the liability of the corpus of the equitable separate estate of married women for their contracts, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 443, House bill entitled an act to give James M. Booth, treasurer of Northumberland county, power of levy and distress to collect certain uncollected tax tickets in his hands, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 445, House bill entitled an act to refund to W. E. Varner and others, taxes improperly paid by them, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 446, House bill entitled an act to allow Joel Shelly, late deputy treasurer of Scott county, further time of one year to dis-

- train and levy for taxes for the year 1892, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 447, House bill entitled an act to allow Harvey Terry and Lucius Burke, deputies of Robert S. Ragland, late treasurer of King William county, one year longer from the passage of this bill to collect tax tickets in their hands for the years 1891, 1892, 1893, and 1894, was taken up, twice read, and referred to the committee on finance and banks.
 - ✓ No. 448, House bill entitled an act to fix the penalty of the bond of the treasurer of Bedford county, requiring every sixty days statement of collections and payment into the treasury of the State revenues, and to empower the board of supervisors to recommend to the county court that it demand a new or additional bond, was taken up, twice read, and referred to the committee on finance and banks.
 - ✓ No. 449, House bill entitled an act to incorporate the trustees of Warwick Lodge, Knights of Pythias, No. 72, was taken up, twice read, and referred to the committee on general laws.
 - ✓ No. 450, House bill entitled an act to authorize the sale of the church and lot on Mayo street, in Richmond, known as the Universalist-Unitarian church, was taken up, twice read, and on motion of Mr. SANDS (the rules being suspended therefor), placed on the calendar.
 - ✓ No. 451, House bill entitled an act to prevent cruelty to children and to regulate and provide for their control and custody in certain cases, was taken up, twice read, and referred to the committee for courts of justice.
 - ✓ No. 453, House bill entitled an act to incorporate the Grayson County Farmers' Mutual Benevolent Fire Insurance Company, was taken up, twice read, and referred to the committee on general laws.
 - ✓ No. 458, House bill entitled an act to amend and re-enact an act approved March 3, 1880, entitled an act to incorporate the town of Hillsboro, in the county of Loudoun, was taken up, twice read, and on motion of Mr. FAIRFAX (the rules being suspended therefor), placed on the calendar.
 - ✓ No. 459, House bill entitled an act to amend and re-enact sections 45 and 8 of an act approved February 1, 1894, entitled an act to provide for working the roads in Northampton county, approved March 2, 1892, as amended by an act approved February 23, 1894, was taken up, twice read, and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.
 - ✓ No. 460, House bill entitled an act to amend an act approved March 25, 1872, &c., declaring certain streams in Charlotte county to be highways, was taken up, twice read, and referred to the committee on county, city and town organizations.
 - ✓ No. 466, House bill entitled an act to incorporate the Eastern

- ✓ Midland Railway Company, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 468, House bill entitled an act to incorporate the Southern Improvement and Terminal Company, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 503, House bill entitled an act in relation to the fencing of railway tracks in the county of Rockbridge, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 471, House bill entitled an act to authorize the district school board of trustees of Petsworth district, Gloucester county, Va., to sell certain land bought by them but not needed for public school purposes, was taken up, twice read, and referred to the committee on public institutions and education.
- ✓ No. 479, House bill entitled an act to determine how costs shall be taxed in cases of joint indictment, was taken up, twice read, and referred to the special committee on criminal expenses.
- ✓ No. 472, House bill entitled an act to allow M. Thornton, deputy treasurer of Gloucester county, further time in which to collect unpaid tax tickets now in his hands, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 473, House bill entitled an act to incorporate the town of Saxis, in the county of Accomac, was taken up, twice read, and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.
- ✓ No. 474, House bill entitled an act to amend and re-enact section 14 of an act entitled an act to provide for the working of and keeping in repair the public roads and bridges of Page county, for opening new roads and changing the location of existing roads, approved February 14, 1888, was taken up, twice read, and referred to the committee on county, city and town organizations.
- ✓ No. 475, House bill entitled an act to prescribe the time for holding the circuit courts in the fourth judicial circuit since the addition thereto of the city of Lynchburg and county of Campbell, as provided by an act approved February 5, 1896, was taken up, twice read, and on motion of Mr. BROWN (the rules being suspended therefor), placed on the calendar.
- ✓ No. 480, House bill entitled an act to amend and re-enact section 3969 of the Code of Virginia, with reference to when a justice to discharge an accused person who is before him for examination, and what to do when there is sufficient cause to discharge him, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 481. House bill entitled an act to amend and re-enact section 3890 of the Code of Virginia, in relation to offences committed without and made punishable within the State where prosecuted, and making liable to punishment persons committing robbery be-

yond the State and bringing the stolen property within the same, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 482, House bill entitled an act providing that when a mortal wound or injury is inflicted by a person within the State upon one outside the same, or upon one in this State who afterwards dies from the effects of the same outside of the State, that the offender shall be amenable to punishment, and where he may be prosecuted, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 484, House bill entitled an act to amend the 3d, 15th and 19th sections and to repeal and re-enact sections 14 and 17 of an act passed March 2, 1892, entitled an act to provide for opening and keeping in repair the public roads of Pulaski county, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 485, House bill entitled an act to empower the town council of Berryville to borrow money to construct an electric plant for lighting said town, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 487, House bill entitled an act to incorporate the Nassawadox Lumber and Barrel Manufacturing and Building Company, in the county of Northampton, was taken up, twice read, and referred to the committee on general laws.

✓ No. 488, House bill entitled an act empowering the judge of the circuit court of Russell county to order certain causes to be properly indexed by the clerk thereof, was taken up, twice read, and, on motion of Mr. ST. CLAIR (the rules being suspended therefor), placed on the calendar.

✓ No. 491, House bill entitled an act to allow the treasurer of Stafford county additional time to levy for and collect tax tickets held by said treasurer and not returned delinquent, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 494, House bill entitled an act to incorporate the McCulloch Terminal Railway Wharf and Warehouse Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 498, House bill entitled an act to prohibit winter racing in the State of Virginia, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 499, House bill entitled an act to authorize the board of supervisors of Bath county, in their discretion, to levy a tax, not exceeding twenty cents on the taxable value of said county, for county school purposes, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 500, House bill entitled an act relating to removing of the county courthouse of Alexandria county, Virginia, to some site in

the county, was taken up, twice read, and, on motion of Mr. MUSHBACH (the rules being suspended therefor), placed on the calendar.

✓ No. 505, House bill entitled an act in relation to the fencing of railway tracks in the county of Orange, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 506, House bill entitled an act in relation to the fencing of railway tracks in the county of Culpeper, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 507, House bill entitled an act in relation to the fencing of railway tracks in the county of Isle of Wight, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 508, House bill entitled an act in relation to the fencing of railway tracks in the county of Halifax, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 509, House bill entitled an act in relation to the fencing of railway tracks in the county of Pittsylvania, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 510, House bill entitled an act in relation to the fencing of railway tracks in the counties of Nansemond and Southampton, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 511, House bill entitled an act in relation to the fencing of railway tracks in the county of Amherst, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 513, House bill entitled an act to authorize the trustees to sell the William or Stoneberger church property in Page county, Virginia, and invest proceeds, was taken up, twice read, and referred to the committee on general laws.

On motion of Mr. JONES, the following joint resolution,

✓ Resolved (the House of Delegates concurring), that a committee of conference, consisting of two on the part of the Senate and two on the part of the House of Delegates, be appointed to consider the disagreeing votes of the two houses on House bill No. 180, "Making husbands and wives competent witnesses for or against each other,"

✓ &c., was agreed to, and the chair appointed Messrs. JONES and TURNBULL a committee on the part of the Senate.

✓ On motion of Mr. JONES, he was ordered to inform the House of Delegates thereof.

✓ A message was received from the House of Delegates by Mr. SAUNDERS, who informed the Senate that that House had agreed to the joint resolution of conference.

Mr. JORDAN, from the committee on agriculture, mining and manufacturing, reported, with the recommendation that they be discharged from the further consideration of this bill, and recommend that it be referred to the committee on finance and banks,

✓ No. 420, Senate bill to establish a State weather service in this State for the purpose of collecting and compiling its climatic and meteorologic features, and extending the benefits of the warnings of the National Weather Bureau, the same to be used for the benefit of the agricultural, commercial and scientific interests of the State, was taken up, and the committee's recommendation agreed to, and it was ordered to be referred to the committee on finance and banks.

Mr. MUSHBACH, by leave, presented

✓ No. 575, Senate bill to amend and re-enact section 37 of an act entitled an act to amend the charter of the city of Alexandria, approved February 20, 1871, &c.; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, and, on his further motion (two-thirds concurring), read the second time, ordered to be engrossed and read a third time, and being forthwith engrossed, was, on his further motion, read the third time and passed with its title.

Mr. BOYKIN, by leave, presented

✓ No. 576, Senate bill requiring the circuit court of the city of Norfolk to hold four annual terms, and fixing the compensation of the judge thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. BROWN, by leave, presented

✓ No. 577, Senate bill to appropriate the sum of \$500 to assist the Society of the Colonial Dames, in the State of Virginia, in their patriotic work of copying and preserving in parish vestry books and registers, running from the year 1663 to 1880, which contain records of value to the Commonwealth and the citizens thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. CLAYTOR, by leave, presented

✓ No. 578, Senate bill to amend and re-enact section 1 of an act, approved January 23, 1896, entitled an act to confirm and validate the charter of the People's Perpetual Loan and Building Association of Roanoke, Va., granted by the corporation court of the city

of Roanoke, Va.; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. GREEN, by leave, presented

- ✓ No. 579, Senate bill to punish the illicit traffic in intoxicating liquors in the counties of Wythe, Carroll, and Grayson; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. LOWRY, by leave, presented

- ✓ No. 580, Senate bill to authorize the auditor of public accounts and governor to fix the compensation to be paid to the special agent of the State for instituting and superintending the collection of amounts due the State from two of the former treasurers of Bedford county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. LOWRY, by leave, presented

- ✓ No. 581, Senate bill to authorize the auditor of public accounts to draw his warrant on the treasurer in favor of Dr. John W. Sale, of Bedford City, for medical services rendered a lunatic; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. WITHERS, by leave, presented

- ✓ No. 582, Senate bill to incorporate the Border Mutual Benefit Association; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. WITHERS (by request), by leave, presented

- ✓ No. 583, Senate bill to amend and reenact section 366 of the Code of Virginia, in relation to term of enlistment; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. E. H. JACKSON, by leave, presented

- ✓ No. 584, Senate bill to incorporate the Atlantic, Winchester and Western Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. PARR, by leave, presented

- ✓ No. 585, Senate bill to authorize Marion Marshall, deputy treasurer of Carroll county, to collect taxes due for the years 1892 and 1893; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MASON, by leave, presented

- ✓ Petition of Dr. W. W. Evans, praying for the granting of certain licenses, &c.; which, on his motion, was referred to the committee on finance and banks.

Mr. MUSHBACH, from the committee on county, city, and town organizations, reported without amendment,

- ✓ No. 378, Senate bill to amend and re-enact section 5 of an act entitled an act to create a board of excise commissioners for Alexandria county, approved March 2, 1894.
- ✓ No. 512, House bill in relation to the fencing of tracks in the county of Smythe defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 358, House bill entitled an act to provide a new charter for the town of Pocahontas, was taken up, and on motion of Mr. ST. CLAIR, the committee on county, city, and town organizations be discharged from the further consideration of the bill, and placed on the calendar.
Which was agreed to.
- ✓ No. 476, House bill entitled an act to prescribe the time for holding the circuit courts of the sixth judicial circuit since the addition thereto of the counties of Albemarle and Nelson, as provided by an act approved February 5, 1896, approved February 13, 1896, was taken up, twice read, and on motion of Mr. BROWN (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.
- ✓ No. 477, House bill entitled an act to protect all payments made to the holder of any policy in any accident company, sick benefit company, or any company of like kind, from levy or distress for any debt due by the insured, was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 380, Senate bill to amend an act to incorporate Shoemaker College, in Scott county, approved March 1, 1894, was taken up, and on motion of Mr. KANE, postponed until Saturday, the 15th inst.
- ✓ No. 443, Senate bill to amend and re-enact sections 1265, 1266, 1270, 1278, 1279, and 1280 of the Code of Virginia, and to amend and re-enact section 1281 of said Code, as amended and re-enacted by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, touching the verification and publication of reports of insurance companies, approved March 4, 1890, and as amended by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, in regard to the publication of certain reports by insurance companies and associations, approved March 5, 1890, and as amended and re-enacted by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, in regard to the verification and publication of certain reports of insurance companies and associations, as amended and re-enacted by acts approved March 4, 1890, and March 5, 1890, being chapters 209 and 228 of the Acts of the General Assembly of Virginia, Session 1889-'90, approved February 20, 1892, and to amend and re-enact sections 1284 and 1286 of the said Code, and to add independent sections thereto in relation to insurance companies, was taken up

as unfinished business, read the second time, ordered to be engrossed and read a third time.

✓ No. 170, Senate bill entitled an act to provide for the method of voting by ballot, was taken up, being the special order of the day, and on motion of Mr. FLOOD, postponed until to-morrow.

✓ No. 207, Senate bill entitled an act relating to the qualification and privilege of voters, the registration of electors, the proper conduct and returns of elections; when, where and how general and special elections to be held; providing for the compensation of election officers, and defining offenses against the election laws, with the penalties therefor, and providing the method of voting by ballot, and repealing all laws in conflict herewith, and especially sections 66 and 72, Code of Virginia, 1887, and the act entitled an act to provide for the method of voting by ballot, approved March 6, 1894, was taken up, being the special order of the day.

✓ On motion of Mr. LITTLE passed by, by the following vote—ayes, 22; noes, 11.

AYES—Messrs. Boykin, Brown, Clement, Echols, Fairfax, Flood, Green, Hay, Jones, Jordan, LeCato, Little, Lovenstein, Lowry, Morris, Mushbach, Sands, Snead, Southall, St. Clair, Turnbull, and Wickham—22.

NOES—Messrs. Claytor, Flanagan, Hale, E. H. Jackson, G. W. Jackson, Kane, Keezell, Mason, Maynard, Parr, and Williams—11.

✓ No. 113, Senate bill to enlarge the duties and powers of the auditor of public accounts relative to insurance companies, and to provide for the expenses incident thereto, was taken up, read the third time, and passed with its title, by the following vote—ayes, 21; noes, 9.

AYES—Messrs. Boykin, Echols, Flanagan, Flood, Green, Hay, E. H. Jackson, Jordan, Kane, LeCato, Little, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Sands, Snead, St. Clair, and Withers—21.

NOES—Messrs. Brown, Claytor, Clement, G. W. Jackson, Jones, Keezell, Lovenstein, Southall, and Turnbull—9.

On motion of Mr. MASON, he was ordered to inform the House of Delegates thereof.

✓ No. 447, Senate bill to amend and re-enact section 10 of an act to amend and re-enact section 10 of an act passed March 5, 1888, entitled an act to amend and re-enact section 10 of an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing, and to repeal chapter 185 of the Acts of Assembly of 1879 and 1880, approved February 5, 1892, and to add an independent section, was taken up, and read the second time.

✓ On motion of Mr. WICKHAM, the bill was amended,

✓ On motion of Mr. TURNBULL, the bill was further amended, and the bill as amended ordered to be engrossed and read a third time.

- ✓ No. 253, Senate bill requiring statement of their financial condition from Mutual Benefit Associations or Companies to the auditor of public accounts, was taken up, read the second time, committee's amendments agreed to, and on motion of Mr. ST. CLAIR, the bill was further amended and agreed to.
- ✓ On motion of Mr. SANDS, the bill was further amended and agreed to.
- ✓ On motion of Mr. ST. CLAIR, the bill was passed by.
- ✓ No. 508, Senate bill to amend and re-enact section 6 of an act entitled an act to incorporate Bondtown, in Wise county, approved February 4, 1894, was taken up, read the second time, and ordered to be engrossed and read a third time.
- ✓ No. 392, Senate bill to amend and re-enact an act approved February 27, 1894, in relation to the power of the courts to order a suit in equity or action at law to abate as to any improperly joined plaintiff or defendant, and to proceed thereafter by or against the others as if such misjoinders had not been made, &c., was taken up, read the second time, and ordered to be engrossed and read a third time.
- ✓ No. 314, Senate bill to amend and re enact section 1 of chapter 83 of the Acts of 1889 and 1890 in relation to the control of prisoners in jail, was taken up, read the second time, committee's amendments agreed to, and ordered to be engrossed and read the third time.
- ✓ No. 303, Senate bill in relation to fraudulent sale, negotiation, pledge, or hypothecation of licensed warehouse or other licensed storage receipts, and to provide punishment in respect thereto, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.
- ✓ No. 302, Senate bill to amend and re enact an act entitled an act to provide for the payment of debts due by commission merchants, approved February 27, 1894, and to provide remedies in respect thereto, was taken up, read the second time, and on motion of Mr. WICKHAM the bill was amended, ordered to be engrossed and read a third time.
- ✓ No. 301, Senate bill to amend and re-enact section 1792 of the Code of Virginia in relation to the issue of licensed warehouse and other licensed storage receipts, and to provide penalties in respect thereto, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.
- ✓ No. 300, Senate bill to repeal sections 1791, 1792, 1793, and 1794 of the Code of Virginia in reference to warehouse and storage receipts, was taken up, read the second time, and rejected.
- ✓ No. 456, Senate bill to allow the joint library committee and the general librarian of the Commonwealth to permit the transfer of the duplicate volumes in the State Library to the library of the University of Virginia, was taken up, read the second time, ordered to be engrossed and read a third time.

- ✓ No. 428, Senate bill to authorize E. W. Warburton to erect a wharf, dock or pier on his tract of land, called "Fish House," in James City county, on James river, was taken up, read the second time, ordered to be engrossed and read a third time.
- ✓ No. 482, Senate bill to amend and re enact section 50 of chapter 5 of the Acts of the General Assembly of 1885-'86, entitled an act to provide a new charter for the town of Wytheville, approved February 26, 1886, was taken up, read the second time, and the substitute proposed by the committee agreed to, and ordered to be engrossed and read a third time.
- ✓ No. 118, Senate bill to amend and re-enact section 3528 of the Code of Virginia, and to repeal section 3526 of the Code of Virginia in relation to fees of attorneys for the Commonwealth, was taken up, read the second time, and, on motion of Mr. WITHERS, made the special and continuing order for Tuesday, the 18th inst., at one o'clock.
- ✓ No. 524, Senate bill to incorporate the Richmond, Newport News, and Norfolk Telephone Company, was taken up, read the second time, ordered to be engrossed and read a third time.
- ✓ No. 44, Senate bill to amend and re-enact section 2048 of the Code of Virginia in relation to how boundary lines of lots and tracts of land made a lawful fence as amended and re-enacted by acts approved January 16, 1890, and March 4, 1890, was taken up, read the second time, and, on motion of Mr. BROWN, passed by, and substitute ordered to be printed.
- ✓ No. 486, Senate bill to protect sturgeon in the James river and its tributaries, was taken up, read the second time, on motion of Mr. KEEZELL, amended and agreed to, ordered to be engrossed and read a third time.
- ✓ No. 224, Senate bill to repeal the charter of the Old Dominion Fire Association of Alexandria, Va., which was granted by the judge of the circuit court of the city of Alexandria on the 6th day of November, 1835, under section 1145 of the Code of Virginia, and acts amendatory thereof, was taken up, read the second time, and, on motion of Mr. MUSHBACH, passed by.
- ✓ No. 514, Senate bill to incorporate the Virginia and Northwestern Railroad company, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.
- ✓ No. 513, Senate bill to amend and re-enact an act approved February 28, 1894, entitled an act to amend and re-enact section 10 of an act entitled an act to incorporate the Chesapeake and West Virginia Railroad Company, approved February 16, 1892, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.
- ✓ No. 534, Senate bill to incorporate the Portsmouth, Pig's Point and Newport News Railway, Ferry and Hotel Company, was taken up,

read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.

✓ No. 500, Senate bill to incorporate the Blue Ridge Railroad Company, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.

✓ No. 448, Senate bill extending further time to A. O. Burks, treasurer of the city of Buena Vista, for the collection of unpaid taxes due to the Commonwealth and to said city, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.

✓ No. 376, Senate bill for the relief of William Henry Harrison Cawood, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.

✓ No. 152, Senate bill to amend and re-enact sections 1714, 1715, 1717, 1724, and 1725 of the Code of Virginia in relation to the powers, duties, and compensation of the State board of health, and to make an appropriation for maintaining the same, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.

✓ No. 510, Senate bill to amend and re-enact section 9 of an act approved December 17, 1891, entitled an act to incorporate the Marion and Rye Valley Railroad Company, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ No. 512, Senate bill to incorporate the Southeastern and Atlantic Railroad Company, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.

✓ No. 363. Senate bill to amend and re-enact an act entitled an act to incorporate the Alexandria and Fairfax Passenger Railway Company, approved February 18, 1890, and to amend and re-enact an act entitled an act to amend and re-enact the first section of an act approved February 18, 1890, entitled an act to incorporate the Alexandria and Fairfax Passenger Railway Company, approved February 25th, 1892, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.

✓ No. 546, Senate bill to amend and re-enact section 1 of an act entitled an act to authorize the county of Madison to subscribe to the stock of the Madison and Orange Railroad Company on certain conditions, approved February 24, 1894, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.

✓ No. 509, Senate bill to provide for a method for the better assessment of personal property under the control of fiduciaries and the several courts of the Commonwealth, was taken up, read the second time, and the committee's substitute ordered to be printed, and passed by.

✓ No. 561, Senate bill to amend and re-enact section 11 of an act

entitled an act to provide a charter for the city of Winchester, approved April 2, 1874, was taken up, read the second time, and ordered to be engrossed and read a third time.

✓ No. 521, Senate bill to amend the charter of the town of Key-ville, Charlotte county, was taken up, read the second time, and ordered to be engrossed and read a third time.

✓ No. 378, Senate bill to amend and re-enact section 5 of an act entitled an act to create a board of excise commissioners for Alexandria county, approved March 2, 1894, was taken up, read the second time, and, on motion of Mr. MUSHBACH, amended, ordered to be engrossed and read a third time.

✓ No. 553, Senate bill to amend section 1 of an act incorporating the trustees of the Female Charity School of Fredericksburg, was taken up, read the second time, ordered to be engrossed and read a third time.

✓ On motion of Mr. MORRIS, the following joint resolution was presented, and (the rules being suspended therefor) was taken up and agreed to, and, on his further motion, he was ordered to inform the House of Delegates thereof:

✓ Whereas the General Assembly of Virginia has heard of the generous donation of \$25,000 by Charles B. Rouss, of New York city, to the University of Virginia in her hour of need; and whereas it is deemed proper to take recognition of this liberal aid to a State institution: therefore,

✓ 1. Be it resolved by the Senate of Virginia (the House of Delegates concurring), That the thanks of the General Assembly of Virginia are tendered Charles B. Rouss for his timely and generous aid; and that in the opinion of the General Assembly this public recognition, not only of his generosity but of his warm remembrance of his native State, to whose assistance he has always come when needed, is due him.

✓ 2. That an engrossed copy of this resolution be sent him by the keeper of the rolls of the State of Virginia.

✓ A message was received from the House of Delegates by Mr. FISHBURNE, who informed the Senate that that house had agreed to the joint resolution of thanks to Mr. C. B. Rouss.

✓ On motion of Mr. MORRIS, the Senate adjourned until to-morrow, twelve o'clock.

FRIDAY, FEBRUARY 14, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In House of Delegates, February 13, 1896.

The House of Delegates has passed Senate bill entitled an act

✓ to amend and re-enact section 3515 of the Code of Virginia in relation to fees of officers, No. 173.

✓ They have agreed to Senate joint resolution relating to the protection of the rights of persons fishing in the Potomac river.

✓ They have passed with amendments, Senate bill entitled an act to provide for the protection of domestic animals, and to authorize and empower the board of control of the Experiment Station of the Virginia Agricultural and Mechanical College at Blacksburg, to establish live stock quarantine lines, rules and regulations, and to prescribe penalties for violating the same, No. 505.

✓ They have passed House bills entitled an act to amend and re-enact section 377 of the Code of Virginia in relation to military board, No. 393; an act to legalize primary conventions in the counties of Accomac and Northampton, No. 396; an act to amend and re-enact an act approved January 27, 1896, entitled an act to prevent the extermination of partridges (or quail) in the State of Virginia, No. 397; an act to allow G. W. Koontz, treasurer of Shenandoah county, and his deputies, further time for collecting uncollected taxes in Shenandoah county, No. 411; an act for the relief of John Hargrove, George W. Gates, John W. Bain, and W. T. Fisher, deputies of the late Colonel William M. Field, treasurer of Dinwiddie county, No. 412; an act authorizing the county judge to appoint an additional justice of the peace for the Catalpa district of Culpeper county, No. 415; an act to provide for working and keeping in repair the public roads of Lee county, No. 416; an act authorizing the board of supervisors of Alexandria county, Va., to make allowance to the county clerk of the said county for additional work and labor, No. 417; an act for compensation of school trustees of Mecklenburg county, No. 422; an act to amend and re-enact section 2065, Code of Virginia, in regard to estrays, No. 423; an act to amend and re-enact the special road law of Fauquier county, adopted at session of General Assembly 1875-76, and amended by Acts of 1876-77, 1878-79, 1883-84, and 1884, No. 425; an act to amend and re-enact section 525 of the Code of Virginia in relation to the collection of fees of the commissioner of the revenue, No. 340; and an act to amend and re-enact section 3725 of the Code of Virginia of 1887, as amended by an act entitled an act to amend and re-enact section 3725 of the Code of Virginia, as to obstructing or injuring canals, &c., how punished, approved March 3, 1894, No. 467.

• In which amendments and bills they request the concurrence of the Senate.

✓ No. 505, Senate bill to provide for the protection of domestic animals, and to authorize and empower the board of control of the Experiment Station of the Virginia Agricultural and Mechanical College at Blacksburg to establish live stock quarantine lines, rules and regulations, and to prescribe penalties for violating the same,

- ✓ was taken up, on motion of Mr. JONES, the amendments proposed by the House of Delegates agreed to, and, on his further motion, he was ordered to inform the House of Delegates thereof.
- ✓ No. 393, House bill entitled an act to amend and re-enact section 377 of the Code of Virginia, in relation to the military board, was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 396, House bill entitled an act to legalize primary conventions, in the counties of Accomac and Northampton, was taken up, twice read, and referred to the committee on privileges and elections.
- ✓ No. 397, House bill entitled an act to amend and re-enact an act approved January 27, 1896, entitled an act to prevent the extermination of partridges (or quail) in the State of Virginia, was taken up, twice read, and referred to the committee on fish and game.
- ✓ No. 411, House bill entitled an act to allow G. W. Koontz, treasurer of Shenandoah county, and his deputies, further time for collecting uncollected taxes in Shenandoah county, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 412, House bill entitled an act for the relief of John Hargrove, George W. Gates, John W. Bain, and W. T. Fisher, deputies of the late Col. William M. Field, treasurer of Dinwiddie county, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 415, House bill entitled an act authorizing the county judge to appoint an additional justice of the peace for Catalpa district of Culpeper county, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 416, House bill entitled an act to provide for working and keeping in repair the public roads of Lee county, was taken up, twice read, and referred to the committee on county, city, and town organizations.
- ✓ No. 417, House bill entitled an act authorizing the board of supervisors of Alexandria county, Va., to make allowance to the county clerk of the said county for additional work and labor, was taken up, twice read, and referred to the committee on county, city and town organizations.
- ✓ No. 422, House bill entitled an act for the compensation of school trustees of Mecklenburg county, was taken up, twice read, and referred to the committee on public institutions and education.
- ✓ No. 423, House bill entitled an act to amend and re-enact section 2065 Code of Virginia, in regard to estrays, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 425, House bill entitled an act to amend and re-enact the special road law of Fauquier county, adopted at session of General Assembly, 1875-'76, and amended by acts of 1876-'77, 1878-'79, 1883-'84 and 1884, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 340, House bill entitled an act to amend and re-enact section 525 of the Code of Virginia, in relation to the collection of fees of the commissioner of revenue, was taken up, twice read, and, on motion of Mr. SANDS (the rules being suspended therefor), placed on the calendar.

✓ No. 467, House bill entitled an act to amend and re-enact section 3725 of the Code of Virginia of 1887, as amended by an act entitled an act to amend and re-enact section 3725 of the Code of Virginia, as to obstructing or injuring canals, &c., how punished, approved March 3, 1894, was taken up, twice read, and referred to the committee on roads and internal navigation.

A message was received from the House of Delegates by Mr. GALLEGHER, who informed the Senate that that house had passed

✓ No. 442, House bill entitled an act to allow W. Hutchinson, treasurer of Prince William county, to collect by levy certain tax bills not returned delinquent.

✓ The bill was referred to the committee on finance and banks.

Mr. MAYNARD, by leave, presented

✓ No. 586, Senate bill to incorporate the Lake Drummond Railway and Hotel Company; which, on his motion was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. BOYKIN, by leave, presented

✓ No. 587, Senate bill to amend and re-enact sections 5 and 9 of an act entitled an act for the distribution, among those entitled, of the direct tax money donated by the United States Government, approved March 3, 1892; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. SOUTHALL, by leave, presented

✓ No. 588, Senate bill for the relief of John F. Flippen, a disabled Confederate soldier, of Prince Edward county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. SANDS, by leave, presented

✓ No. 589, Senate bill to provide for a bureau of labor and industrial statistics, and for defining the duties of said bureau; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. CLAYTOR, by leave, presented

✓ No. 590, Senate bill to repeal an act to define the power and limitations of building and loan associations, approved March 1, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. BARNES, by leave, presented

✓ No. 591, Senate bill to locate the courthouse, clerk's office, and jail of the county of Warwick; which, on his motion, was read the

first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

✓ On motion of Mr. PARR, the committee on general laws were discharged from the further consideration of House bill No. 453, and the same ordered to be placed on the calendar.

✓ No. 443, Senate bill to amend and re-enact sections 1265, 1266, 1270, 1278, 1279, and 1280 of the Code of Virginia, and to amend and re-enact section 1281 of said Code, as amended and re-enacted by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, touching the verification and publication of reports of insurance companies, approved March 4, 1890, and as amended by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, in regard to the publication of certain reports by insurance companies and associations, approved March 5, 1890, and as amended and re-enacted by an act entitled an act to amend and re-enact section 1281 of the Code of Virginia, in regard to the verification and publication of certain reports of insurance companies and associations, as amended and re-enacted by acts approved March 4, 1890, and March 5, 1890, being chapters 209 and 228 of the Acts of the General Assembly of Virginia, Session 1889-'90, approved February 20, 1892, and to amend and re-enact sections 1284 and 1286 of the said Code, and to add independent sections thereto in relation to insurance companies, was taken up, read the third time, and passed with its title.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported, with amendments,

✓ No. 359, House bill entitled an act to amend and re-enact sections 2 and 15 of an act entitled an act to incorporate the town of Crewe, in the county of Nottoway, approved March 3, 1894.

He, from the same committee, reported with amendments,

✓ No. 563, Senate bill to amend and re-enact section 12 of an act entitled an act to amend and re-enact the charter of the town of Ashland, approved February 15, 1894.

✓ No. 188, Senate bill to create a fish commission, &c., came up as unfinished business, and was under discussion by Mr. STUBBS when the special order of the day was called.

✓ No. 170, Senate bill providing the method of voting by ballot—being the special order of the day—was taken up.

Mr. LITTLE proposed an amendment to Mr. WICKHAM's substitute for the bill.

On motion of Mr. FLOOD, the further consideration of the bill was postponed until two o'clock.

✓ Senate bill No. 207—a companion bill to No. 170—was taken up, and on motion of Mr. HALE amended, which was agreed to.

The bill was under consideration at the time of adjournment.

On motion of Mr. HAY, the Senate adjourned until to-morrow, twelve o'clock.

SATURDAY, FEBRUARY 15, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates, by their clerk, was read as follows:

In House of Delegates, February 14, 1896.

- ✓ The House of Delegates has passed Senate bills entitled an act to amend and re-enact section 848 of the Code of Virginia, as amended and re enacted by an act entitled an act to amend section 848 of the Code of Virginia, in relation to compensation of supervisors, approved March 5, 1894, No. 151; an act to repeal an act entitled an act to incorporate the town of Mendota, in the county of Washington, approved December 19, 1889, No. 353; an act to authorize the board of supervisors of Middlesex county to increase the salary of the county judge, No. 454; an act to amend and re-enact sections 17 and 18 of an act entitled an act to provide a new charter for the town of Waverly, approved February 29, 1892, and to validate certain taxes and assessments levied and imposed by the council of said town, No. 506; and an act prescribing the pay of the harbor master of Carter's Creek, in Lancaster county. No. 516.
- ✓ They have dismissed Senate bill entitled an act to commission officers of cadets of the Danville Military Institute, Pittsylvania county, and Suffolk Military Academy, Suffolk Collegiate and Military Academy, and the Newport News Military Academy, No. 483.
- ✓ They have passed House bills entitled an act to amend and re-enact section 2107 of the Code of Virginia 1887, in relation to the inspection of dams and rivers by supervisors and councilmen, No. 431; an act to amend and re-enact sections 5 and 17 of chapter 357, Acts 1887-'88, as to the bonds of the district road commissioners, &c., in the county of Rockingham. No. 437; an act for the protection of fish in Smyth and Washington counties, No. 439; an act to provide for the re registration of the qualified voters of the town of Smithfield, and a new election on the fourth Thursday in May, 1896, No. 440; an act to incorporate the Wakefield Cemetery, No. 441; and an act to remove the political disabilities of W. P. Bugg. No. 486.
- ✓ They have passed House joint resolution to provide for the creation of Labor Reform Commission for the purpose of investigating how best to employ convicts confined in the penitentiary and reformatories and prisons in this State other than by contract system, No. 455.

In which bills and joint resolution they respectfully request the concurrence of the Senate.

- ✓ No. 455, House joint resolution to provide for the creation of a

✓ Labor Reform Commission for the purpose of investigating how best to employ the convicts confined in the penitentiary and reformatories and prisons in this State, other than by contract system, was taken up, twice read, and referred to the committee on public institutions and education.

✓ No. 441, House bill entitled an act to incorporate the Wakefield Cemetery, was taken up, twice read, and referred to the committee on general laws.

✓ No. 486, House bill entitled an act to remove the political disabilities of W. P. Bugg, was taken up, twice read, and referred to the committee on general laws.

✓ No. 439, House bill entitled an act for the protection of fish in Smyth and Washington counties, was taken up, twice read, and, on motion of Mr. BUCHANAN (the rules being suspended therefor), placed on the calendar.

✓ No. 440, House bill entitled an act to provide for the re-registration of the qualified voters of the town of Smithfield, and a new election on the fourth Thursday in May, 1896, was taken up, twice read, and referred to the committee on privileges and elections.

✓ No. 431, House bill entitled an act to amend and re-enact section 2107 of the Code of Virginia, 1887, in relation to the inspection of dams and rivers by supervisors and councilmen, was taken up, twice read, and referred to the committee on county, city, and town organizations.

✓ No. 437, House bill entitled an act to amend and re-enact sections 5 and 17 of chapter 357, Acts 1887-88, as to the bonds of the district road commissioners, &c., in the county of Rockingham, was taken up, twice read, and on motion of Mr. KEEZELL (the rules being suspended therefor), placed on the calendar.

Mr. JONES, from the committee for courts of justice, reported without amendment,

✓ No. 390, House bill to amend and re-enact chapter 559 of an act approved March 1, 1892 (Acts 1891-92), entitled an act to amend and re-enact sections 3807 and 3810 of the Code of Virginia relating to the protection of religious meetings and meetings for the promotion of the cause of temperance.

Mr. SANDS, from the committee on general laws, reported without amendment,

✓ No. 556, Senate bill to incorporate the Young Men's Christian Association of Newport News, Va.

And he, from the same committee, reported without amendment,

✓ No. 567, Senate bill to prevent deception and manufacture and sale of imitation butter.

Mr. ECHOLS, from the committee on roads and internal navigation, reported without amendment,

✓ No. 494, House bill to incorporate the McCulloch Terminal Railway, Wharf, and Warehouse Company.

He, from the same committee, reported with an amendment,

- ✓ No. 305, House bill to incorporate the Newport News and Hampton Electric Railway Company.

He, from the same committee, reported with an amendment,

- ✓ No. 466, House bill to incorporate the Eastern Midland Railway Company.

And he, from the same committee, reported without amendment,

- ✓ No. 468, House bill to incorporate the Southern Improvement and Terminal Company.

Mr. MUSHBACH, from the committee on county, city, and town organizations, reported without amendment,

- ✓ No. 386, House bill entitled an act for the protection of sheep, hogs, and turkeys in the county of King William by making the owners of dogs that kill, maim, or worry the same, liable for damages.

He, from the same committee, reported with amendments,

- ✓ No. 218, House bill to authorize land owners to erect and maintain gates across private roads.

He, from the same committee, reported without amendment,

- ✓ No. 460, House bill to amend an act approved March 25, 1872, &c., declaring certain streams in Charlotte county to be highways.

He, from the same committee, reported without amendment,

- ✓ No. 474, House bill to amend and re-enact section 14 of an act entitled an act to provide for the working of and keeping in repair the public roads and bridges of Page county, for opening new roads, and changing the location of existing roads, approved February 14, 1888.

He, from the same committee, reported without amendment,

- ✓ No. 484, House bill to amend the 3d, 15th, and 19th sections, and to repeal and re-enact sections 14 and 17 of an act passed March 2, 1892, entitled an act to provide for opening and keeping in repair the public roads of Pulaski county.

He, from the same committee, reported without amendment,

- ✓ No. 485, House bill to empower the town council of Berryville to borrow money to construct an electric plant for lighting said town.

He, from the same committee, reported without amendment,

- ✓ No. 499, House bill to authorize the board of supervisors of Bath county, in their discretion, to levy a tax not exceeding 20 cents, on the taxable value of said county, for county school purposes.

And he, from the same committee, reported with the recommendation that it do not pass,

- ✓ No. 417, House bill authorizing the board of supervisors of Alexandria county, Virginia, to make allowance to the county clerk of the said county for additional work and labor.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment,

- ✓ No. 362, Senate bill for the relief of C. D. Diggs, late deputy treasurer of the county of Cumberland.

He, from the same committee, reported without amendment,
✓ No. 538, Senate bill for the relief of the sureties of John M. Dawson, late treasurer of James City county and the city of Williamsburg, and also granting to said John M. Dawson an extension of time within which to distrain for, levy and collect tax bills now in his hands.

He, from the same committee, reported with an amendment,
✓ No. 470, Senate bill to fix the price at which the Code of 1887 shall be sold.

He, from the same committee, reported without amendment,
✓ No. 580, Senate bill to authorize the auditor of public accounts and governor to fix the compensation to be paid to the special agent of the State for instituting suits and superintending the collection of amounts due the State from two of the former treasurers of Bedford county.

He, from the same committee, reported without amendment,
✓ No. 224, House bill for the relief of Botetourt Agricultural and Mechanical Association.

He, from the same committee, reported without amendment,
✓ No. 377, House bill allowing G. R. Nichols, deputy treasurer of the county of Campbell, further time for the collection of taxes for the years 1891, 1892, and 1893.

He, from the same committee, reported with a substitute,
✓ No. 395, House bill to fix the penalty of the bond of the treasurer of Rockbridge county, require every sixty days statement of collections and payment into the treasury of the State's revenue, and to empower the county board of supervisors to demand new or additional bond.

He, from the same committee, reported without amendment,
✓ No. 411, House bill to allow G. W. Koontz, treasurer of Shenandoah county, and his deputies, further time for collecting uncollected taxes in Shenandoah county.

He, from the same committee, reported without amendment,
✓ No. 412, House bill for the relief of John Hargrove, George W. Gates, John W. Bain, and W. T. Fisher, deputies of the late Colonel William M. Field, treasurer of Dinwiddie county.

He, from the same committee, reported without amendment,
✓ No. 442, House bill to allow W. Hutchison, treasurer of Prince William county, to collect by levy certain tax bills not returned delinquent.

He, from the same committee, reported without amendment,
✓ No. 443, House bill to give James M. Booth, treasurer of Northumberland county, power of levy and distress to collect certain uncollected tax tickets in his hands.

He, from the same committee, reported without amendment,
✓ No. 446, House bill to allow Joel Shelly, late deputy treasurer of Scott county, further time of one year to distrain and levy for taxes for the year 1892.

- He, from the same committee, reported without amendment,
- ✓ No. 447, House bill entitled an act to allow Harvey Terry and Lucius Burke, deputies of Robert S. Ryland, late treasurer of King William county, one year longer from the passage of this bill to collect tax tickets in their hands for the years 1891, 1892, 1893, and 1894.
- ✓ He, from the same committee, reported without amendment,
- ✓ No. 472, House bill to allow M. Thornton, deputy treasurer of Gloucester county, further time in which to collect unpaid tax tickets now in his hands.
- He, from the same committee, reported without amendment,
- ✓ No. 491, House bill entitled an act to allow the treasurer of Stafford county additional time to levy for and collect tax tickets held by said treasurer and not returned delinquent.
- And he, from the same committee, reported with the recommendation that House bill No. 105, with amendments thereto, be printed and referred back to the committee, and it was so ordered.
- And he, from the same committee, reported
- ✓ No. 592. Senate bill to amend and re-enact section 566 of the Code, prescribing when commissioners to return lists of licenses to auditor and what list to contain; which was ordered to be printed.
- Mr. LOVENSTEIN, by leave, presented
- ✓ No. 593. Senate bill to amend and re-enact section 1043 of the Code of Virginia in order to provide for local assessments and other changes; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.
- Mr. MUSHBACH, from the committee on county, city and town organizations, by leave, presented,
- ✓ No. 594, Senate bill to provide for the construction, maintenance and permanent improvement of the public highways, with amendments, and ordered to be printed.
- Mr. MAYNARD (by request), by leave presented
- ✓ No. 595, Senate bill to authorize the councils of the city of Norfolk to issue bonds for sewerage and other purposes to the Fifth or Brambleton Ward of said city, and to submit the same to a vote of the electors of said city; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.
- ✓ Mr. WITHERS, by leave, presented
- ✓ No. 596, Senate bill to amend and re-enact section 3792 of the Code of Virginia in relation to fighting cocks, dogs, &c., in Alexandria county, how punished, and to amend the title thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.
- Mr. LITTLE (by request), by leave, presented
- ✓ No. 597, Senate bill to incorporate the Manchester Light and Fuel Company; which, on his motion, was read the first, ordered

to be read a second time, and referred to the committee on general laws.

Mr. BOYKIN, by leave, presented

- ✓ No. 598, Senate bill to allow the board of supervisors of the county of Isle of Wight to contract a loan for the purpose of keeping in repair the roads and bridges in the said county, and to issue bonds therefor; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. LE CATO, by leave, presented

- ✓ No. 599, Senate bill to authorize the board of trustees of Margaret Academy, in Accomac county, to hold meetings with less than a quorum of its members; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. FAIRFAX, by leave, presented

- ✓ No. 600, Senate bill to incorporate the Richmond Water Power Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. McCUNE, by leave, presented

- ✓ No. 601, Senate bill to refund to John N. Davis, of Shenandoah county, a fine and costs recovered against said Davis, in the county court of Shenandoah county, for doing business without a license after having tendered coupons in payment of said license; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. STUBBS, by leave, presented the following resolution:

- ✓ Resolved by the Senate, That the committee on finance be discharged from a further consideration of a House joint resolution appointing R. E. Wynn agent of State of Virginia, was taken up, and rejected by the following vote—ayes, 5; noes, 22.

AYES—Messrs. Barnes, Hale, E. H. Jackson, Little, and Stubbs—5.

NOES—Messrs. Boykin, Buchanan, Clement, Fairfax, Flanagan, Green, Hay, Jordan, Keezell, Lowry, McCune, McIlwaine, Morris, Mushbach, Parr, Southall, St. Clair, Tredway, Turnbull, Wikham, Williams and Withers—22.

- ✓ No. 563, Senate bill to amend and re-enact section 12 of an act entitled, an act to amend and re-enact the charter of the town of Ashland, approved February 15, 1894, was taken up, on motion of Mr. WICKHAM (the rules being suspended therefor), read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time, and being forthwith engrossed, on his further motion (two-thirds concurring), was read the third time and passed with its title.

- ✓ No. 188, Senate bill to create a fish commission, define the duties, and fix the salaries of its members, was taken up as unfinished business, and, on motion of Mr. LOVENSTEIN, postponed.

- ✓ No. 447, Senate bill to amend and re-enact section 10 of an act entitled an act to amend and re-enact section 10 of an act passed March 5, 1888, entitled an act to amend and re-enact section 10 of an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing, and to repeal chapter 185 of the Acts of Assembly of 1879 and 1880, approved February 5, 1892, and to add an independent section, was taken up, read the third time and passed with its title.
- ✓ On motion of Mr. KEEZELL, the vote by which the bill was passed was reconsidered, and, on his further motion, the vote by which it was ordered to be engrossed was also reconsidered, and, on his further motion, the bill was amended.
- ✓ No. 508, Senate bill to amend and re-enact section 6 of an act entitled an act to incorporate Bondtown, in Wise county, approved February 24, 1894, was taken up, read the third time, and passed with its title.
- ✓ No. 392, Senate bill to amend and re-enact an act, approved February 27, 1894, in relation to the power of the courts to order a suit in equity or action at law to abate as to any improperly joined plaintiff or defendant, and to proceed thereafter by or against the others as if such misjoinders had not been made, &c., was taken up, read the third time, and passed with its title.
- ✓ No. 314, Senate bill to amend and re-enact section 1 of chapter 83 of the Acts of 1889 and 1890, in relation to the control of prisoners in jail, was taken up, read the third time, and passed with its title.
- ✓ No. 303, Senate bill in relation to the fraudulent sale, negotiation, pledge, or hypothecation of licensed warehouse, or other licensed storage receipts, and to provide punishment in respect thereto, was taken up, read the third time, and passed with its title.
- ✓ No. 302, Senate bill to amend and re-enact an act entitled an act to provide for the payment of debts due by commission merchants, approved February 27, 1894, and to provide remedies in respect thereto, was taken up, read the third time, and passed with its title.
- ✓ No. 301, Senate bill to amend and re-enact section 1792 of the Code of Virginia, in relation to the issue of licensed warehouse and other licensed storage receipts, and to provide penalties in respect thereto, was taken up, read the third time, and passed with its title.
- ✓ No. 290, House bill entitled an act to legalize the charter of the Eureka Power and Manufacturing Company, approved March 5, 1894, and all acts of said company under this charter, was taken up, and, on motion of Mr. TURNBULL to recommit to the committee on general laws, agreed to, and it was so ordered.
- ✓ No. 170, Senate bill to provide for the method of voting by ballot, was taken up.

✓ Mr. HALE proposed an amendment to strike out "section 4," and insert in lieu thereof the following :

4. The ballot shall be a white paper ticket, containing the names of the persons who have complied with the provisions of this act, as hereinafter provided, and each ticket shall bear as many parallel columns of the same width, two and one-half inches wide, as there are political parties or organizations participating in the election. Each column shall be headed with the names of each party, and one column shall be headed Democratic candidates, another Republican candidates, and so on, and in these separate columns shall be printed the separate offices to be filled, and under each office the name of the party nominee, and the order of printing the tickets shall be precisely the same on each and all of the tickets printed, including a circle not less than two inches in diameter, printed next and underneath the name of the party; and each ticket so printed shall bear, and have printed upon it just above the name of each party, a device to be chosen by the State chairman of each party participating in the election, which device must be chosen and communicated to the chairmen of the several electoral boards of the counties and cities of the State at least thirty days before any election held under this act. And it shall be the duty of the judges of election, at every election and at every precinct where a poll shall be opened, to post up, or cause to be posted up, and kept posted up all day during election day at some conspicuous place outside the voting place, four of the official tickets to be used at such precinct and election; in default of which, such judges shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined one hundred dollars.

Which was rejected by the following vote—ayes, 8; noes 25.

AYES—Messrs. Claytor, Hale, G. W. Jackson, Keezell, Mason, McCune, Parr and Withers—8.

NOES—Messrs. Barnes, Boykin, Clement, Fairfax, Flood, Green, Hay, E. H. Jackson, Jones, Jordan, Kane, Little, Lovenstein, Lowry, Maynard, McIlwaine, Morris, Mushbach, Sands, Southall, St. Clair, Stubbs, Turnbull, Wickham, and Williams—25.

ℓ The vote recurring upon the substitute proposed by Mr. LITTLE, Mr. KEEZELL proposed an amendment, which was agreed to.

Mr. McILWAINE called for the pending question, which was ordered.

Mr. LOVENSTEIN moved to reconsider the vote by which the pending question was ordered, which was agreed to.

Mr. KEEZELL moved to further amend by striking out section 20, which was rejected.

Mr. KEEZELL then moved to amend the bill by adding at the end of section 4 the following :

"And it shall be the duty of the judges of election, at every election and at every precinct where a poll shall be opened, to post up,

or cause to be posted up, and kept posted up all day during election day at some conspicuous place outside the voting place, four of the official tickets to be used at such precinct and election, in default of which such judges shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined one hundred dollars."

Mr. McILWAINE again called the pending question, and the amendment of Mr. KEEZELL's was rejected by the following vote—ayes, 9; noes, 26.

AYES—Messrs. Buchanan, Claytor, Hale, G. W. Jackson, Jones, Keezell, Mason, McCune, and Parr—9.

NOES—Messrs. Barnes, Boykin, Clement, Echols, Fairfax, Flood, Green, E. H. Jackson, Jordan, Kane, LeCato, Little, Lovenstein, Lowry, Maynard, McIlwaine, Morris, Mushbach, Sands, Southall, St. Clair, Stubbs, Turnbull, Wickham, Williams, and Withers—26.

Mr. BOYKIN proposed an amendment to section 6, which was agreed to. Mr. WICKHAM then withdrew his substitute, which was agreed to. Mr. MAYNARD then called the pending question, which was ordered by the following vote—ayes, 27; noes, 4.

AYES—Messrs. Buchanan, Clement, Echols, Fairfax, Flood, Green, Hay, E. H. Jackson, Jones, Jordan, Kane, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Sands, Southall, St. Clair, Stubbs, Turnbull, Wickham, Williams, and Withers—27.

NOES—Claytor, Keezell, McCune, and Parr—4.

✓ Mr. MAYNARD then called the previous question, and the substitute proposed by Mr. LITTLE and amended was agreed to, and ordered to be engrossed and read a third time, and, being forthwith engrossed, on motion of Mr. LITTLE (two-thirds concurring), was read the third time and passed—ayes, 28; noes, 3.

AYES—Messrs. Boykin, Buchanan, Clement, Echols, Fairfax, Flood, Green, Hay, E. H. Jackson, Jones, Jordan, Kane, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Sands, Southall, St. Clair, Stubbs, Turnbull, Wickham, Williams, and Withers—28.

NOES—Messrs. Claytor, McCune, and Parr—3.

ℓ And, on his further motion, the title was amended so as to read as follows: "An act to amend and re-enact an act entitled an act to provide for the method of voting by ballot, approved March 6, 1894."

Mr. HALE stated he was paired with Mr. BARNES, who, if he was present, would vote Aye, and he should vote No.

Mr. JACKSON stated that he was paired with Mr. McILWAINE, who, if he was present, would vote Aye, and he should vote No.

Mr. BROWN was paired with Mr. FLANAGAN, both of whom were absent; had they been present, Mr. BROWN would vote Aye and Mr. FLANAGAN No.

No. 207, Senate bill, being a companion bill with Senate bill No. 170, was, on motion of Mr. HALE, taken up, and, on his further motion to engross the bill, it was rejected by the following vote—
 ayes, 5; noes, 28.

AYES—Messrs. Claytor, Hale, G. W. Jackson, McCune, and Parr—5.

NOES—Messrs. Boykin, Clement, Echols, Fairfax, Flood, Green, Hay, E. H. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Sands, Southall, St. Clair, Stubbs, Turnbull, Wickham, Williams, and Withers—28.

A message was received from the governor, by his private secretary, who informed the Senate that he had vetoed Senate bills Nos. 33, 455, 154, 193.

On motion of Mr. MUSHBACH, the message was laid on the table, and ordered to be printed.

GOVERNOR'S OFFICE,
 RICHMOND, VA., February 15, 1896.

To the General Assembly of Virginia:

I herewith respectfully return, without my approval, Senate bill No. 33, entitled "an act to incorporate the Fredericksburg Telephone Company."

Section 2 authorizes this company to erect its electric poles and wires and maintain its conduits, subways and submarine cables on and under the public highways in the counties of Spotsylvania, Caroline, Essex, Stafford and King George under such terms and conditions as may be agreed on with the boards of supervisors in the respective counties.

I have, in various messages which I have sent to the honorable bodies composing the General Assembly, endeavored to show, *first*, that boards of supervisors have no control of the county roads of their counties except to levy taxes for their maintenance, &c.; *second*, that the public have an easement in the public roads of a county which cannot, or ought not to, be affected without giving them an opportunity to be heard; *third*, that the freehold being in the land-owners, neither telegraph, telephone or electric poles nor railroad tracks can be placed or laid upon a public road without the consent of the abutting land-owners or providing compensation to them, each being an additional servitude; and that a bill which fails, as this bill does, to provide compensation to said land-owners is unconstitutional.

I have not time to give my views in full, and respectfully refer you to my messages vetoing Senate bills Nos. 81 and 193 and House bill No. 248.

CHAS. T. O'FERRALL,
 Governor.

GOVERNOR'S OFFICE,
 RICHMOND, VA., February 15, 1896.

To the General Assembly of Virginia:

I respectfully return herewith, without my approval, Senate bill No. 455, entitled "an act to amend section 2 of a charter granted to the John G. Hurkamp Company, on the 7th day of August, 1895, by the judge of the circuit court of Fredericksburg, in vacation, and to confirm and approve and ratify such charter as amended and all its provisions."

Section 2 of the charter sets forth that "the objects and purposes for which said corporation is formed are the manufacture and sale of leather, also the manufacture and sale of sumac, bark, and so on, in the ground state and extract form." It is now proposed to amend this section so as to read as follows:

"The said company is hereby authorized to carry on the business of manufacturing leather, sumac, bark, &c., in the ground state and extract form, and may transport and sell the same and conduct such other business in connection therewith as

it may deem proper, and it may acquire property not exceeding five hundred acres, as provided for in article four of said charter, and establish works for the purposes herein granted, and it may hold, sell, lease and otherwise dispose of any real and personal estate deemed necessary to the proper prosecution of its business; and the said company may in connection with any of its said business and the use and improvement of any of its properties make, build and operate any canals or waterways, tramways or a railway of such gauge as may be deemed expedient from any of its works erected or to be erected, and to connect the same with other railroad or railroads now existing or hereafter built, and with any other manufacturing industry: provided, such railway shall not exceed five miles in length, and for the purpose when necessary acquire by contract or condemnation such lands or other property or rights of way as may be necessary therefor, proceedings for such condemnation to be in accordance with chapters forty-six and forty-seven of the Code of Virginia and the laws amendatory thereof."

My objections are as follows:

First. Power is given this company to conduct *any* business it may deem proper in connection with its general business of manufacturing leather, &c. It is not confined to objects auxiliary or incidental to the specific purposes of its charter. It is too broad, and besides, it embraces more than one object in the same act, which is repugnant to the Constitution of Virginia.

Second. Authority is given to this company to *condemn* land for the purposes of its railroad. This is authorizing the taking of private property for private use, for surely it will not be contended that the business of this company constitutes such a public enterprise as to justify the State in exercising her power of eminent domain.

Third. The title of the bill is defective—"an act to amend section 2 of a charter granted to the John G. Hurkamp Company, on the 7th day of August, 1895, by the judge of the circuit court of Fredericksburg," &c. What is the John G. Hurkamp Company? What is the object of the charter? Is it to engage in railroad, banking, mining, manufacturing, or what? The title gives us no information.

"No law shall embrace more than one object, which shall be expressed in its title."—Article V, Section 15, of the Constitution of Virginia.

CHAS. T. O'FERRALL,
Governor.

GOVERNOR'S OFFICE,
RICHMOND, VA., February 15, 1896.

To the General Assembly:

Senate Bill No. 154 entitled, "An Act to incorporate the Pacific Company," has been carefully considered and I herewith respectfully return it without my approval.

OBJECTIONS.

First. Its title is defective; in fact, it is meaningless, so far as expressing the object of the corporation is concerned. It imparts no idea whatever as to the purposes of the charter. "An Act to incorporate the Pacific Company." What is the Pacific Company? What is its scope? The title gives no intimation. What business does it propose to engage in? Is it a steamship, railroad, banking, brokerage, security, insurance, mercantile, mining, manufacturing or real-estate enterprise? The title sheds no light, furnishes no answer to the inquiry.

Section 15, Article 5, of our State Constitution, declares, that the object of every law shall be expressed in the title. In fact, this provision is found in every State Constitution—some of the States using the word "subject" instead of "object." It is unnecessary to say that this provision is mandatory. "It is a wise one, of great public utility. Where the title affords no clue whatever to the contents of the act, the enactment is *wholly inoperative.*" Board of Supervisors of Henrico County vs. McGruder, 84 Virginia, 832.

"While the title need not be a complete index of the act, it must indicate its object with sufficient distinctness to enable the members of the legislature to fairly understand it by simply hearing the title read." *Fidelity Insur., &c., Co. vs. S. V. R. R. Co.*, 86th Virginia, 5.

"The title must state the subject of the act, for the purpose of information to members of the legislature and public, while the bill is going through the forms of enactment." Sutherland on Statutory Construction, Section 88. It must call attention to the subject of the bill. *Ibid.*

There is not a word in the title which "affords a clue to the contents of the act;" in no manner is the object indicated; there is nothing whatever to inform the legislature and public as to the purport of the bill.

Second. The bill is repugnant to the Constitution in another important particular. Many objects, independent and distinct in their character, are embraced in its provisions. "No law shall embrace more than one object." Art. 5, Section 15, of the Constitution.

"The Constitutional intent is to prevent the union in one act of incongruous matter, and of objects having no connection or relation; to require singleness of subject matter. A disregard of the Constitutional restriction, even in an otherwise meritorious bill, will be fatal. The subject of a statute is the matter of public or private concern in respect to which its provisions are enacted; its object is its general aim and purpose. The words subject and object are not strictly synonymous; but the provisions, thus verbally varying, have received substantially the same construction." See Sutherland on Statutory Construction, Section 83.

An Act "to promote drainage," which included the powers to construct reservoirs for the storage of *debris* from mines, the protection of mines, towns or cities from inundation, by the erection of embankments or dykes and the drainage of certain districts of the State, by the rectification of river channels, was held to be void. Sutherland on Statutory Construction, Section 103.

The constitutional provision of each of the States "requires two things, each relating to a different part of the bill—1. It must be *single* in respect of its subject-matter. 2. That single subject-matter must be *expressed in its title*. If, therefore, the statute embrace more than one subject it is void, whether or not the subject is expressed in its title. On the other hand, although a statute may embrace but one subject, it is still void if *that* subject be not expressed in its title."—Thompson's Commentaries on the Law of Corporations, Vol. 1, sec. 607.

Now, assuming that these authorities (which could be multiplied indefinitely) establish beyond a doubt that an act which embraces more than one object—objects distinct and independent—bearing no relation to each other, neither auxiliary nor incidental, is repugnant to the Constitution of every State in this Union, let us examine the provisions of said Senate bill No. 154, entitled "An act to incorporate the Pacific Company." The sections conferring powers are quite long, so I will endeavor to group the powers without quoting literally the sections.

1. To acquire and hold, use, &c., all concessions, grants, privileges, &c., that have been or may be granted or conferred by or secured from any of the Republics, States, cities, districts, counties, municipalities, &c., of South America, and other countries.

2. To subscribe for, acquire, &c., the shares of the capital stock or bonds of any company chartered by *any* Republic, State, government or municipality.

3. To construct and operate railroads of any description *anywhere* upon the Continent of South America, and boats and ships propelled by steam, electricity, or other motive power.

4. To acquire, build, own, lease, occupy and operate wharves, piers, canals, ship-yards, docks, elevators, transfers, lighters, telegraph, telephone, and express lines, warehouses, water-works, and other structures, &c., which the company may find to be necessary or convenient for the proper conduct of its business.

5. To engage in the business of banking, and conduct a general banking business, and establish one or more banking-houses in *any of the Republics of South America, or in any other State or country*, subject to the laws of such Republics, State or country.

6. To act as *agent or guarantor*, and guarantee the performance of contracts and obligations.

7. To acquire and own any and all lands outside of the territorial limits of Virginia that it may find necessary or convenient for its purposes, and dispose of the same.

8. To acquire, build, own and use wharves, piers and warehouses, at or near Norfolk and Newport News, in Virginia, etc.

9. To carry on the business of mining coal or any ores, guano, nitrates or other

minerals or substances *anywhere* in South America, or in any part of North America, which drains into the Pacific Ocean.

10. To manufacture any metals, materials or products in the *sections last mentioned*.

11. To develop oil and asphalt territory, etc., in *said sections*.

12. To acquire, erect and maintain smelting works, etc., on its lands, and also establishments for the manufacturing of fabrics from wood, stone, metals or other material.

13. To lay out towns and town sites.

14. To build and operate, in connection with the use and improvement of its properties, any aqueduct, pipe-line, tramways or railways.

15. To operate water-works, gas works, electric-light plants, electric-power plants, and electric plants for any purpose, and supply water, water-power, motive-power, gas or electric lights to mines, or to factories, or to persons and corporations residing or doing business in or near any town which said company may lay out, or in or near any town in which such rights may be acquired.

16. To quarry and cut stone, make brick, cut and saw timber, dig sand and clay, and use and sell the products of any such work.

17. To "do any act necessary for the successful prosecution of any of the above business.

Now, if these powers do not cover the whole field, and embrace the entire domain of business enterprises, I am indeed at a loss to know what to add.

Some of these powers could be properly blended in the direction of a single object—the development of the company's properties, but neither the power to construct and operate *railroads, and boats and ships anywhere* in South America, to engage in and conduct a *general banking business* in South America or *any* other State or country, to act as *agent or guarantor*, to carry on the mining of coal, &c., the manufacturing of metals, &c., and the developing of oil and asphalt territory, &c., *anywhere* in South America or any part of North America which drains into the Pacific Ocean, nor operate water works, gas-works, electric-light plants, and supply water, water-power, gas or electric lights to mines, factories, persons, and corporations in *or near any town in which it may acquire the rights*, can by any possible stretch of construction, be made auxiliary or incidental to the powers necessary for the development, use and enjoyment of the company's properties; they are entirely distinct and independent. They bear no relation either to each other, and would afford, if not too broad in their terms, subjects for five or more separate charters.

Are not some of them at least too broad? Would the General Assembly charter a company to build railroads of any description *anywhere* within Virginia, or to conduct a banking business and establish banking houses in *all* the counties and cities in the State?

In other words, would the General Assembly give a company unlimited authority to build railroads or establish banking houses? It seems to me to propound the question is to answer it.

These are my objections to the bill briefly and heartily stated, though maturely considered.

It has been suggested that as this company proposes to do business outside of Virginia, no harm can result to the State by the granting of the charter it seeks. It is true that, with the exception of powers to engage in banking, which it can do under the provisions of the bill in *any* State or country, to erect gas and electric plants, and water-works which it is authorized to do by the bill in or near *any* town in which it may acquire the rights, and to acquire, build, own and use wharves, piers, and warehouses at or near Norfolk and Newport News, all of the operations of this company will be conducted, according to the provisions of the bill, beyond the limits of Virginia; but this fact cannot affect the principle involved.

This company is applying to this State for a charter, which can only be granted under the Constitution and laws of Virginia, and the Constitution of this State declares in emphatic terms that "No law shall embrace more than one object, which shall be expressed in the title." and to grant a charter embracing more than one object and with no object expressed in the title, to a company to conduct business outside of the State, would be as plainly in violation of the organic law as if a like charter were granted to a company to conduct business within the State; the

Constitution draws no line, makes no distinction between the two acts; Virginia treats all persons alike; she does not discriminate in favor of those who desire charters for use in other countries from whom she derives no revenue except the small charter tax, and against her own citizens who apply for charters for the development of her own resources and who not only pay the charter tax, but contribute to the support of her State government and increases her taxable values.

While the wise and salutary provisions to which I have repeatedly referred should never be disregarded, but held as inviolate as any other mandate of our organic law, I respectfully submit that it would be unjust in the extreme to hold those who apply for a domestic charter to a compliance with the requirement of the Constitution and relieve "The Pacific Company," whose franchises will be exercised almost, if not entirely, in a foreign country.

I feel sure that with its attention called to the defects in this bill and its broad and multifarious powers, (which I do most respectfully, and surely in no captious spirit,) the General Assembly will agree with me that it is best, at all times, to confine ourselves to the beaten paths of legislation, treat all persons seeking privileges and powers alike, and adhere strictly to the clear and well-defined provisions of our Constitution.

CHAS. T. O'FERRALL.

GOVERNOR'S OFFICE,
RICHMOND, VA., February 15, 1896.

To the General Assembly of Virginia:

On the 29th ultimo, I returned without my approval Senate bill No. 193, entitled "An act to amend and re-enact the third section of an act approved February 3, 1888, entitled an act to incorporate the Berkley Street Railway Company."

In my message giving my objections to this bill, I quoted section 3 of the original act, which was as follows: "It shall be lawful for said company to transport passengers, freight and baggage over the line of said railroad, and to collect fare and tolls for the same; and may use horse, steam or electric power to propel the cars of said road." Acts 1887-8, p. 85.

I then said, "The present bill proposes to amend this section by adding the following words: 'And said company shall have the further power and authority to establish and maintain in the said village of Berkley or in Washington Magisterial District, Norfolk county, one or more plants for the purpose of furnishing electric light, heat, power and traction to the public, and to private individuals and corporations, and manufacture and furnish light for public and private use by electricity, gas, or other means of illumination; and it shall be lawful for said company to dispose of its electricity or gas at such rates as may be agreed upon by the parties; but as far as the said company shall use the streets of said village or the roads of said Washington Magisterial District for the purposes of erecting and maintaining thereon poles, wires, and necessary fixtures, or placing thereunder pipes or conduits for the proper conduct of the business mentioned in this section, such use shall be made of said streets or roads without detriment to the public use thereof, and subject to the consent of the municipal authorities of said village or the county court of said county respectively.'"

"These provisions are, in my opinion, subject to the following objections:

First. This company is chartered as a railroad company only. The title of the original act indicated its purpose, and if the title had authorized it to operate electric and gas plants for the benefit of the public, individuals or corporations, it would have been repugnant to the constitutional provision which declares that 'No law shall embrace more than one object, which shall be expressed in its title;' and if these two objects could not have been united in the original bill, it cannot be done by amendment. The business of a railroad company is one thing and that of a gas or electric heat, light, power and traction company another; the two enterprises are incongruous; one is not in any manner incidental to the other; they cannot be blended in the same act.

"If a railroad company can, either in its original charter or by amendment, be authorized to engage in the business of furnishing gas, electric heat light or power to the public or to individuals or corporations, why could it not be authorized to engage in the selling of coal, lumber, the operation of planing-mills, and the construction of houses, &c.? Why not spread over the entire field of business enterprise?"

✓ I have now presented to me Senate bill No. 493 entitled "an act to amend and re-enact the 3d section of an act to incorporate the Berkley Street Railway Company, and to authorize it to dispose of so much of its electric power as it may not need for the propulsion of its cars," and section 3 as amended and re-enacted is in the following words: "It shall be lawful for said company to transport passengers, freight and baggage over the line of said railroad, and collect fare and toll for same, and may use horse, steam, or electric power to propel the cars of said railroad, and should said company adopt electricity as its motive power, it may and hereby is authorized and empowered *to use so much of its electricity as it may not need for the propulsion of its cars for the purpose of supplying heat, light, and power, to the public, and individuals, and corporations with whom it may contract.*"

With all due deference I must say that this is only an evasion of the objection I made to Senate bill No. 193; in fact, Senate bill No. 493 is a substitute for the vetoed bill, and intended to accomplish *indirectly* what Senate bill No. 193 proposed to do directly. It simply means that this railway company failing to secure the authority in express terms to engage in the business of a heat and light company, seeks now to secure this privilege by *indirection*.

It must be easily seen that this company can under the proposed amendment, erect a plant sufficiently large to generate electricity to run its cars, and then supply heat and light to the public and to individuals and corporations as fully as if it were a regularly chartered electric, heat, and light company, and thereby accomplish the purpose it sought in the vetoed bill. Instead of limiting its power to its needs as a railroad company, it proposes to evade the law which prohibits it from engaging in a business inconsistent with its chartered privileges, by establishing a plant with power far in excess of the requirements of its lawful and constitutional business, and then using its excessive power in conducting an independent and distinct enterprise. It is an attempted evasion of a plain constitutional provision, and an effort to render nugatory wise and well settled principles of legislation.

If the corporators of the Berkley Street Railway Company desire to embark in an enterprise distinct from that of conducting a railroad, let them apply for a charter, independent in its character and suited for the purpose they have in view, pay the State the tax required for the special privilege they seek, and they will receive proper consideration at the hands of the legislative and executive branches of the State government.

✓ Surely they ought not to expect, under a charter to operate a railroad, to engage in the business of a heat and light company, upon the plea that they may generate more electricity than they need in propelling their cars. They can very easily regulate the size of their electric plant in their purchase according to their requirements or the generation of electricity according to the demands of their road. There is no reason why any loss resulting from a waste of electricity should occur; all they will have to do is to conform themselves in their preparations to the needs of their road; they will no doubt do this in the purchase of their rolling-stock; let them act as wisely in regulating their motive power.

The Legislature granted them a charter with all the powers incident to a railway company, but with this they are not content, and now ask that their charter be amended, giving them powers not incidental or auxiliary, but having no more relation to the enterprise in which they are engaged than the powers which belong to a company chartered to furnish gas to a city, to operate mines, to conduct a mercantile, lumber or banking business. Railroad and the transportation of freight and passengers is one thing, supplying heat and light to the public, and to individuals and corporations, is another. Companies engaged in either should be confined, respectively, to their legitimate sphere; certainly the two objects cannot be embraced in one act, nor can either be engrafted upon the other by amendment to the original Act.

For these reasons, and in the firm belief that no evasion, however adroit, should be allowed to defeat the intention of the framers of the Constitution, as expressed in Article 5, Section 15, I herewith respectfully return Senate Bill No. 493 without my approval.

CHAS. T. O'FERRALL,
Governor.

On motion of Mr. WICKHAM, the Senate adjourned until Monday at twelve o'clock.

MONDAY, FEBRUARY 17, 1896.

Mr. LOVENSTEIN, President *pro tem.*, in the chair.

Prayer by Rev. W. W. Tudor.

Journal of Saturday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In the House of Delegates, February 15, 1896.

The House of Delegates has passed Senate bills entitled an act to amend and re-enact section 4 of an act entitled an act to provide for the establishment of a high school at Bedford City, and to take the sense of the qualified voters of the Municipal and Liberty districts of Bedford county thereon, approved January 23, 1896, No. 494; an act to authorize the city of Staunton to condemn the right of way through the grounds of the Virginia Female Institute, in said city of Staunton, for the extension of Baldwin street, No. 246; and an act to amend and re-enact an act entitled an act authorizing the board of supervisors of Pittsylvania county to issue the bonds of the said county for the purpose of raising money to pay off bonds of said county, approved February 7, 1894, as amended and re-enacted by an act approved December 20, 1895, No. 539.

They have agreed to the amendments of the Senate to House bills entitled an act to protect deer, partridges (quail), song birds, wild turkeys, squirrels, hares, and wild ducks in the county of King William, No. 70; an act to amend the law for the protection of game in Frederick county, Va., No. 82; an act to impose a tax on collateral inheritances and regulate the collection of same, No. 222; an act to amend and re-enact an act approved March 7, 1894, entitled an act to amend and re-enact an act entitled an act to protect game in the county of King and Queen, approved January 31, 1890, No. 240; an act to amend and re-enact an act entitled an act for the protection of fish in Pig river and Blackwater, approved February 27, 1894, No. 252; an act to prohibit the running at large of horses, colts, and hogs on the Valley turnpike, in the county of Rockingham, No. 302; an act to protect fish in the York, Mattaponi and Pamunkey rivers, by preventing fishing with any fixed device in said rivers except gill stake-nets in waters over certain depths, and to amend and re-enact an act approved March 2, 1894, entitled an act to protect fish in the Mattaponi and York rivers, No. 304; and an act for the relief of John R. Read, late treasurer of Northampton county, No. 307.

They have passed House bills entitled an act to amend and re-enact section 2048 of the Code of Virginia in relation to how boundary lines of lots and tracts of lands made a lawful fence, and excluding the county of Alleghany from the operation thereof, No. 504; an act to amend and re-enact section 3533 of the Code of

✓ Virginia, declaring when certain officers shall not be paid fees in criminal cases, and to whom allowance shall be made in certain cases, No. 478; an act requiring superintendent of penitentiary to keep account of all expenses incurred on delivering convicts to the penitentiary, No. 515; an act to amend and re-enact section 1663 of the Code of Virginia, so as to provide for the appointment of a female physician, whose duties shall be in the female wards of the asylums of the State, No. 516; an act to fix the penalty of the bond of the treasurer of Nansemond county, require every sixty days statement of collections and payment into the treasury of the State's revenue, and to empower the county board of supervisors to demand new or additional bond, No. 520; an act for the relief of all the county and city treasurers in the State of Virginia and for their deputies, No. 521; an act to amend and re-enact section 812, Code of Virginia, 1887, as to when and how officers qualify, and require their bonds to be submitted to the attorney for the Commonwealth of the county or city for which they are elected, No. 526; an act to amend and re-enact section 725, Code of Virginia, 1887, which requires attorneys for the Commonwealth to issue executions, and to require him to report annually to the attorney-general, and prescribe the duties of the attorney-general when report received, No. 527; an act to amend and re-enact section 8 of an act entitled an act to provide for working and keeping in repair the roads and bridges in Nansemond county, approved March 3, 1894, No. 528; ✓ an act to authorize the board of supervisors in Nansemond county to have the lands of all persons in said county, or in selected portions thereof, or of individuals who may request it, processioned, No. 530; an act to restrict the sale of spiritous liquors within two miles of Brodnax depot, on the Atlantic and Danville railroad, in Brunswick county, Va., No. 531; an act to authorize the board of supervisors of Brunswick county to levy a tax on dogs, No. 532; an act in relation to fencing railroad tracks in the counties of Prince Edward, Buckingham, and Cumberland, No. 533; an act to protect the lives and health of the citizens of the town of Coeburn, in Wise county, Va., No. 534; an act to provide for working and keeping in repair the public roads of Scott county, No. 535; an act to authorize the Port Norfolk Electric Railway Company to extend its tracks, No. 536; an act to amend and re-enact section 1 of an act of the General Assembly of Virginia, approved January 9, 1896, entitled an act ratifying and confirming a resolution of the council of the city of Portsmouth adopted in relation to the terms of its members, No. 537; an act in relation to the fencing of railway tracks in the county of Powhatan, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 538; ✓ an act in relation to fencing of railway tracks in the county of Botetourt, defining when the corporations are not liable for injuries, and establishing their liabilities in certain cases, No. 539; an act to provide for the better preservation of order at race courses, fair grounds, base-ball,

and foot-ball parks and other places where athletic sports are held, No. 540; an act to amend and re-enact an act entitled an act to amend and re-enact section 2498 of the Code of Virginia, in relation to entering on record payment or satisfaction of certain incumbrances and liens, approved February 27, 1894, No. 542; an act to amend and re-enact section 2476 of the Code of Virginia of 1887, as amended by an act entitled an act to amend sections 2475 and 2476 of the Code of Virginia, with reference to liens for work done and materials furnished by artizans, mechanics, lumber dealers, and others, approved January 16, 1896, No. 543; an act to regulate the granting of licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in the town of Blackstone, Nottoway county, Virginia, or in two miles thereof, No. 544; an act to authorize the county school board of Bath county to compensate school trustees, No. 545; an act to incorporate the Portsmouth, Pig's Point and Newport News Railway, Ferry and Hotel Company, No. 546; an act to incorporate the Virginia Electric Railroad and Mining Company, No. 547; an act to incorporate the Virginia Coal and Iron Company, with privilege of constructing and operating railroads, No. 548; an act to incorporate the Occoquan and Mount Vernon Passenger Railway Company, No. 549; an act to incorporate the Falls Church, Fairfax and Manassas Railway Company, No. 550; an act to incorporate the Potomac Western Railroad Company, No. 551; an act in relation to the fencing of railway tracks in the county of Norfolk, defining when the corporations are not liable for injuries, and establishing their liabilities in certain cases, No. 552; an act to amend and re-enact an act entitled an act to provide for working and keeping in repair the public roads of Nelson county, approved March 7, 1894, No. 558; an act to authorize the personal representative of M. T. Gooch, late treasurer of Louisa county, to collect by distress unpaid tax tickets held by the said M. T. Gooch at the date of his death in 1894, and which have been accounted for to the State and county and not returned delinquent and insolvent, No. 559; an act to prohibit the running at large of sheep in a certain district in Prince William county, No. 560; an act in relation to the fencing of railway tracks in the county of Page, defining when the corporations are not liable for injuries and establishing their liability in certain cases, No. 563; an act in relation to the fencing of railway tracks in the county of Carroll, defining when the corporation are not liable for injuries and establishing their liability in certain cases, No. 564; an act in relation to the fencing of railway tracks in the county of Lee, defining when the corporations are not liable for injuries and establishing their liability in certain cases, No. 565; an act to incorporate the trustees of Kecoughtan Lodge, No. 29, Knights of Pythias, of Hampton, Va., No. 566; an act to provide for the fencing of railroad tracks in the counties of Greenville and Sussex, No. 567; an act to incorporate the Tobacco Warehousing and Trading Company, No. 572; an act to amend and re-

- ✓ enact section 3693, Code of Virginia, as to prize fighters, how punished, and to prohibit prize fighting and pugilism and fights between men and animals, No. 573; an act to amend the charter of the State Building and Loan Company, granted by the circuit court of the city of Richmond on the 7th day of June, 1894, No. 574; an act to incorporate the Alleghany Rod and Gun Club, No. 575; an
- ✓ act to amend the charter of the city of Newport News, Va. No. 576; an act to locate the court-house, clerk's office, and jail of the county of Warwick, No. 581; and an act to amend and re-enact an act entitled an act to amend and re-enact section 2048 of the Code of Virginia, as amended by an act approved January 16, 1890, in relation to what constitutes a lawful fence, approved March 4, 1890, No. 589.

In which bills they request the concurrence of the Senate.

- ✓ No. 504, House bill entitled an act to amend and re-enact section 2048 of the Code of Virginia, in relation to how boundary lines of lots and tracts of land made a lawful fence, and excluding the county of Alleghany from the operation thereof, was taken up, twice read, and, on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.
- ✓ No. 478, House bill entitled an act to amend and re-enact section 3533 of the Code of Virginia, declaring when certain officers shall not be paid fees in criminal cases, and to whom allowance shall be made in certain cases, was taken up, twice read, and referred to the special committee on criminal expenses.
- ✓ No. 515, House bill entitled an act requiring superintendent of penitentiary to keep account of all expenses incurred in delivering convicts to the penitentiary, was taken up, twice read, and referred to the committee on public institutions and education.
- ✓ No. 520, House bill entitled an act to fix the penalty of the bond of the treasurer of Nansemond county, require every sixty days statement of collections and payment into the treasury of the State's revenue, and to empower the county board of supervisors to demand new or additional bond, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 516, House bill entitled an act to amend and re-enact section 1663 of the Code of Virginia, so as to provide for the appointment of a female physician, whose duties shall be in the female wards of the hospitals of the State, was taken up, twice read, and referred to the committee on public institutions and education.
- ✓ No. 521, House bill entitled an act for the relief of all the county and city treasurers in the State of Virginia and for their deputies, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 527, House bill entitled an act to amend and re-enact section 725, Code of Virginia 1887, which requires attorneys for the Commonwealth to issue executions and to report annually to the

attorney-general, and prescribe the duties of the attorney-general when report received, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 526, House bill entitled an act to amend and re-enact section 812, Code of Virginia 1887, as to when and how officers qualify, and require their bonds to be submitted to the attorney for the Commonwealth of the county or city for which they are elected, was taken up, twice read, and referred to committee for courts of justice.

✓ No. 530, House bill entitled an act to authorize the board of supervisors of Nansemond county to have the lands of all persons in said county, or in selected portions thereof, or of individuals who may request it, processioned, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 528, House bill entitled an act to amend and re-enact section 8 of an act entitled an act to provide for working and keeping in repair the roads and bridges in Nansemond county, approved March 3, 1894, was taken up, twice read, and referred to the committee on county, city, and town organizations.

✓ No. 532, House bill entitled an act to authorize the board of supervisors of Brunswick county to levy a tax on dogs, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 531, House bill entitled an act to restrict the sale of spirituous liquors within two miles of Brodnax Depot, on the Atlantic and Danville railroad, in Brunswick county, Virginia, was taken up, twice read, and, on motion of Mr. TURNBULL (the rules being suspended therefor), placed on the calendar.

✓ No. 534, House bill entitled an act to protect the lives and health of the citizens of the town of Coeburn, in Wise county, Virginia, was taken up, twice read, and referred to the committee on general laws.

✓ No. 533, House bill entitled an act in relation to the fencing of railway tracks in the counties of Prince Edward, Buckingham and Cumberland, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 536, House bill entitled an act to authorize the Port Norfolk Electric Railway Company to extend its tracks, was taken up, twice read, and, on motion of Mr. MAYNARD (the rules being suspended therefor) placed on the calendar.

✓ No. 535, House bill entitled an act to provide for working and keeping in repair the public roads of Scott county, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 538, House bill entitled an act in relation to fencing of railway tracks in the county of Botetourt, defining when the corpora-

tions are not liable for injuries, and establishing their liabilities in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 537, House bill entitled an act to amend and re-enact section 1 of an act of the General Assembly of Virginia, approved January 9, 1896, entitled an act ratifying and confirming a resolution of the council of the city of Portsmouth adopted in relation to the terms of its members, was taken up, twice read, and, on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.

✓ No. 540, House bill entitled an act to provide for the better preservation of order at race-courses, fair-grounds, base-ball and foot-ball parks and other places where athletic sports are held, was taken up, twice read, and referred to the committee on general laws.

✓ No. 539, House bill entitled an act in relation to the fencing of railway tracks in the county of Powhatan, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 543, House bill entitled an act to amend and re-enact section 2476 of the Code of Virginia of 1887 as amended by an act entitled an act to amend sections 2475 and 2476 of the Code of Virginia, with reference to liens for work done and materials furnished by artisans, mechanics, lumber dealers, and others, approved January 16, 1896, was taken up, read twice, and referred to the committee for courts of justice.

✓ No. 542, House bill entitled an act to amend and re enact section 2198 of the Code of Virginia, in relation to entering on record payment or satisfaction of certain incumbrances and liens, approved February 27, 1894, was taken up, twice read, and referred the committee for courts of justice.

✓ No. 545, House bill entitled an act to authorize the county school board of Bath county to compensate school trustees, was taken up, twice read, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ No. 544, House bill entitled an act to regulate the granting of licenses to sell wines and ardent spirits, malt liquors, or any mixture thereof, in the town of Blackstone, Nottoway county, Virginia, or in two miles thereof, was taken up, twice read, and on motion of Mr. TURNBULL (the rules being suspended therefor), placed on the calendar.

✓ No. 547, House bill entitled an act to incorporate Virginia Electric Railroad and Mining Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 546, House bill entitled an act to incorporate the Portsmouth, Pig's Point and Newport News Railway, Ferry and Hotel Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

- ✓ No. 549, House bill entitled an act to incorporate the Occoquan and Mount Vernon Passenger Railway Company, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 548, House bill entitled an act to incorporate Virginia Coal and Iron Company, with privileges of constructing and operating railroads, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 551, House bill entitled an act to incorporate the Potomac Western Railroad Company, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 550, House bill entitled an act to incorporate the Falls Church, Fairfax and Manassas Railway Company, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 558, House bill entitled an act to amend and re enact an act entitled an act to provide for working and keeping in repair the public roads of Nelson county, approved March 7, 1894, was taken up, twice read, and referred to the committee on city, county and town organizations.
- ✓ No. 554, House bill entitled an act in relation to the fencing of railway tracks in the county of Norfolk, defining when the corporations are not liable for injuries and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 560, House bill entitled an act to prohibit the running at large of sheep in a certain district in Prince William county, was taken up, twice read, and referred to the committee on city, county and town organizations.
- ✓ No. 559, House bill entitled an act to authorize the personal representative of M. T. Gooch, late treasurer of Louisa county, to collect by distress unpaid tax tickets held by the said M. T. Gooch at the date of his death in 1894, and which have been accounted for to the State and county and not returned delinquent and insolvent, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 564, House bill entitled an act in relation to the fencing of railway tracks in the county of Caswell, defining when the corporations are not liable for injuries and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 563, House bill entitled an act in relation to the fencing of railway tracks in the county of Page, defining when the corporations are not liable for injuries and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 566, House bill entitled an act to incorporate the trustees of Kecoughtan Lodge No. 29, Knights of Pythias, of Hampton, Vir-

ginia, was taken up, twice read, and referred to the committee on general laws.

- ✓ No. 565, House bill entitled an act in relation to the fencing of railway tracks in the counties of Lee and Wise, defining when the corporations are not liable for injuries and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

- ✓ No. 572, House bill entitled an act to incorporate the Tobacco Warehousing and Trading Company, was taken up, twice read, and referred to the committee on general laws.

- ✓ No. 567, House bill entitled an act in relation to the fencing of railway tracks in the counties of Greenville and Sussex, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

- ✓ No. 574, House bill entitled an act to amend the charter of the State Building and Loan Company, granted by the circuit court of the city of Richmond, on the 7th day of June, 1894, was taken up, twice read, and, on motion of Mr. SANDS (the rules being suspended therefor), placed on the calendar.

- ✓ No. 573, House bill entitled an act to amend and re-enact section 3693, Code of Virginia, as to prize fighters, how punished and to prohibit prize fighting and pugilism and fights between men and animals, was taken up, twice read, and referred to the committee for courts of justice.

- ✓ No. 576, House bill entitled an act to amend the charter of the city of Newport News, Virginia, was taken up, twice read, and referred to the committee on county, city and town organizations.

- ✓ No. 575, House bill entitled an act to incorporate the Alleghany Rod and Gun Club, was taken up, twice read, and referred to the committee on general laws.

- ✓ No. 589, House bill entitled an act to amend and re-enact an act entitled an act to amend and re-enact section 2048 of the Code of Virginia, as amended by an act approved January 16, 1890, in relation to what constitutes a lawful fence, approved March 4, 1890, was taken up, twice read, and, on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

The bill was subsequently taken up, and, on motion of Mr. FLOOD (two-thirds concurring), read the third time, and passed with its title, and, on his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ No. 581, House bill entitled an act to locate the court house, clerk's office and jail of the county of Warwick, was taken up, twice read, and referred to the committee on county, city and town organizations.

Mr. JONES, from the committee for courts of justice, reported without amendment,

- ✓ No. 65, House bill to amend and re-enact an act entitled an act

to amend and re-enact section 2961 of the Code of Virginia, 1887, relative to attachments, approved January 30, 1890.

- ✓ He, from the same committee, reported without amendment,
- ✓ No. 267, House bill prescribing rules which shall govern the appellate courts of the State of Virginia in considering applications for and the granting new trials in criminal cases.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 348, House bill to allow the briefs or notes of agreement filed in any case in any court to be either in printed or type-written form.

He, from the same committee, reported with an amendment,

- ✓ No. 404, House bill to amend and re-enact section 2500 of the Code, and to amend and re-enact section 2501 of the Code, as amended and re-enacted by an act approved February 10, 1890, entitled an act to amend and re-enact section 2501 of the Code, in relation to certificates of acknowledgment.

He, from the same committee, reported without amendment,

- ✓ No. 419, House bill to amend and re-enact section 2295 of the Code, in relation to the liability of the corpus of the equitable separate estate of married women for their contracts.

He, from the same committee, reported with an amendment,

- ✓ No. 451, House bill to prevent cruelty to children, and to regulate and provide for their control and custody in certain cases.

He, from the same committee, reported without amendment,

- ✓ No. 481, House bill to amend and re-enact section 3890 of the Code of Virginia, in relation to offences committed without, and made punishable within the State where prosecuted, and making liable to punishment persons committing robbery beyond the State, and bringing the stolen property within the same.

He, from the same committee, reported without amendment,

- ✓ No. 482, House bill providing that when a mortal wound or injury is inflicted by a person within the State upon one outside the same, or upon one in this State who afterwards dies from the effects of the same outside of the State, that the offender shall be amenable to punishment and where he may be prosecuted.

He, from the same committee, reported without amendment,

- ✓ No. 423, House bill to amend and re-enact section 2065, Code of Virginia, in regard to estrays.

And he, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 527, Senate bill when judge of county or corporation court fails, &c., to hold same, what judge may do so, when governor to designate judge to do so, his pay and mileage.

Mr. SANDS, from the committee on general laws, reported with amendment.

- ✓ No. 205, Senate bill to promote the efficiency of the First Regiment Infantry Virginia Volunteers.

He, from same committee, reported with amendments,

- ✓ No. 440, Senate bill to incorporate the Citizens' Deposit Bank.
He, from the same committee, reported without amendment,
- ✓ No. 449, House bill to incorporate the trustees of Warwick Lodge Knights of Pythias, No. 72.
He, from the same committee, reported without amendment,
- ✓ No. 558, Senate bill to incorporate the Waynesboro and Basic City Railway Company, and to authorize and empower the said company to acquire and operate the street railway and franchises constructed and operated by J. W. Marshall, and his associates, under grants from the municipal authorities of the towns of Waynesboro and Basic City, in the county of Augusta.
He, from the same committee, reported with amendment,
- ✓ No. 582, Senate bill to incorporate the Border Mutual Benefit Association.
He, from the same committee, reported without amendment,
- ✓ No. 583, Senate bill to amend and re-enact section 316 of the Code of Virginia in relation to term of enlistment.
And he, from the same committee, reported with a recommendation that the committee be discharged from the further consideration of the bill, and that it be referred to the committee on general laws, and it was so ordered,
- ✓ No. 558, Senate bill to incorporate the Waynesboro and Basic City Railway Company, and to authorize and empower the said company to acquire and operate the street railway and franchises constructed and operated by J. W. Marshall, and his associates, under grants from the municipal authorities of the towns of Waynesboro and Basic City, in the county of Augusta.
Mr. ECHOLS, from the committee on roads and internal navigation, reported without amendment,
- ✓ No. 320, House bill to amend and re-enact section 3 of an act approved March 5, 1894, entitled an act to incorporate the Chesterfield Transit Company.
He, from the same committee, reported without amendment,
- ✓ No. 321, House bill to amend and re-enact section 8 of an act, approved March 5, 1894, entitled an act to incorporate the Virginia Transit Company, and to authorize it to engage in mining, manufacturing, and storage.
Mr. WILLIAMS, for Mr. MUSHBACH, from the committee on county, city, and town organizations, reported with a substitute,
- ✓ No. 570, Senate bill to enlarge the corporate limits of the city of Staunton, and to extend the jurisdiction of the Hustings court, and police justice thereof.
Mr. BARNES (by request), by leave, presented
- ✓ No. 602, Senate bill to provide for the working and keeping in repair roads and bridges in the county of Charles City; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.
Mr. ST. CLAIR, by leave, presented

✓ No. 603, Senate bill to amend and re-enact an act entitled an act to authorize the clerk of circuit courts to take acknowledgments to deeds and other writings, and to certify the same, approved March 2, 1888; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. JORDAN (by request), by leave, presented

✓ No. 604, Senate bill to amend and re-enact section 1540 of the Code of Virginia, providing for the appropriations for schools in cities and towns; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. TURNBULL, by leave, presented

✓ No. 605, Senate bill to amend and re-enact section 1759 of the Code of Virginia in relation to the practice of pharmacy as amended and re-enacted by an act approved March 5, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. GREEN, by leave, presented

✓ No. 606, Senate bill to amend and re-enact an act approved February 27, 1894, prescribing the time for holding the circuit court in the several counties comprising the Fifteenth judicial circuit of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. GREEN, by leave, presented

✓ No. 607, Senate bill to authorize the board of supervisors of Bland county to levy a tax for the purpose of repairing the public roads in said county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. LOWRY, by leave, presented

✓ A joint resolution instructing the auditor of public accounts not to draw his warrant during any fiscal year on account of any item of expense for an amount greater than that appropriated for that purpose; which, on his motion, was referred to the committee on finance and banks.

Mr. FLOOD, by leave, presented

✓ No. 608, Senate bill for the relief of William H. Gills, late treasurer of Appomattox county, and his sureties; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MAYNARD, by leave, presented

✓ No. 609, Senate bill to amend and re-enact sections 2, 3, 4, and 5, of an act approved May 6, 1887, entitled "an act to incorporate the Portsmouth Street Railway Company," and to authorize the increase of its capital stock; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

- ✓ The chair laid before the Senate an invitation to the president and members of the Senate from the ladies of the Confederate Memorial Literary Society, to be present at the opening of the Confederate Museum, on the 22d instant; which, on motion of Mr. LITTLE, was accepted, and the clerk ordered to acknowledge the invitation.
- ✓ A message was received from the governor by his private secretary, informing the Senate that he had made certain appointments of members of the board of visitors of the University of Virginia.

The following Senate bills were taken up, read the third time, and passed with their titles:

- ✓ No. 456, Senate bill to allow the joint library committee and the general librarian of the Commonwealth to permit the transfer of duplicate volumes in the State library to the library of the University of Virginia.
- ✓ No. 428, Senate bill to authorize E. W. Warburton to erect a wharf, dock or pier on his tract of land, called Fish House, in James city county, on James river.
- ✓ No. 524, Senate bill to incorporate the Richmond, Newport News and Norfolk Telephone Company.
- ✓ No. 467, Senate bill to incorporate the American Milk Company.
- ✓ No. 496, Senate bill to incorporate the Winchester Telephone Company.
- ✓ No. 514, Senate bill to incorporate the Virginia and Northwestern Railroad Company.
- ✓ No. 500, Senate bill to incorporate the Blue Ridge Railroad Company.
- ✓ No. 513, Senate bill to amend and re-enact an act approved February 28, 1894, entitled an act to amend and re-enact section 10 of an act entitled an act to incorporate the Chesapeake and West Virginia Railroad Company, approved February 16, 1892.
- ✓ No. 510, Senate bill to amend and re-enact section 9 of an act approved December 17, 1891, entitled an act to incorporate the Marion and Rye Valley Railroad Company.
- ✓ No. 546, Senate bill to amend and re-enact section 1 of an act entitled an act to authorize the county of Madison to subscribe to the stock of the Madison and Orange Railroad Company, on certain conditions, approved February 24, 1894.
- ✓ No. 363, Senate bill to amend and re-enact an act entitled an act to incorporate the Alexandria and Fairfax Passenger Railway Company, approved February 18, 1890, and to amend and re-enact an act entitled an act to amend and re-enact the first section of an act approved February 18, 1890, entitled an act to incorporate the Alexandria and Fairfax Passenger Railway Company, approved February 25, 1892.
- ✓ No. 448, Senate bill extending further time to A. O. Burks, treasurer of the city of Buena Vista, for the collection of unpaid taxes due to the Commonwealth and to said city, was taken up, read the

third time, and passed with its title by the following vote—ayes, 26; noes, none.

AYES—Messrs. Barnee, Buchanan, Clement, Echols, Fairfax, Flood, Green, Hale, G. W. Jackson, Jones, Jordan, Kane, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, Parr, Sands, St. Clair, Turnbull, Wickham, Williams, and Withers—26.

NOES—None.

No. 152, Senate bill to amend and re-enact sections 1714, 1715, 1717, 1724, and 1725 of the Code of Virginia in relation to the powers, duties, and compensation of the State board of health, and to make an appropriation for maintaining the same, was taken up, and, on motion of Mr. LECATO, passed by.

No. 553, Senate bill to amend section 1 of an act incorporating the trustees of the Female Charity School of Fredericksburg, was taken up, read the third time, and passed with its title.

On motion of Mr. LITTLE, he was ordered to inform the House of Delegates thereof.

No. 561, Senate bill to amend and re enact section 11 of an act entitled an act to provide a charter for the city of Winchester, approved April 2, 1874, was taken up, and, on motion of Mr. McCUNE, passed by.

No. 534, Senate bill to incorporate the Portsmouth, Pig's Point and Newport News Railway, Ferry and Hotel Company, was taken up, read the third time, and passed with its title.

On motion of Mr. MAYNARD, he was ordered to inform the House of Delegates thereof.

No. 512, Senate bill to incorporate the Southeastern and Atlantic Railroad Company, was taken up, read the third time, and passed with its title.

On motion of Mr. MAYNARD, he was ordered to inform the House of Delegates thereof.

No. 521, Senate bill to amend the charter of the town of Key-ville, Charlotte county, was taken up, read the third time, and passed with its title.

On motion of Mr. WILLIAMS, he was ordered to inform the House of Delegates thereof.

No. 380, Senate bill to amend an act to incorporate Shoemaker College, in Scott county, approved March 1, 1894, was taken up, being the special order of to-day, and, on motion of Mr. KANE, postponed until Wednesday, one o'clock.

No. 197, Senate bill to provide the manner in which testimony shall be taken in certain chancery suits now pending in the courts of this Commonwealth, or which may hereafter be instituted, was taken up, and on motion of Mr. TURNBULL, amended and read the third time, and rejected by the following vote—ayes, 9; noes, 13.

AYES—Messrs. Barnes, Claytor, Echols, Green, Hale, LeCato, Turnbull, Williams, and Withers—9.

NOES—Messrs. Buchanan Clement, Fairfax, Flood, G. W. Jackson, Jones, Jordan, Kane, Lovenstein, Lowry, Sands, St. Clair, and Wickham—13.

✓ No. 447, Senate bill to amend and re-enact section 10 of an act to amend and re-enact section 10 of an act passed March 5, 1888, entitled an act to amend and re-enact section 10 of an act to amend and consolidate into one act the laws relating to the public printing and binding, and defining the duties of the superintendent of public printing, and to repeal chapter 185 of the Acts of Assembly of 1879 and 1880, approved February 5, 1892, and to add an independent section, was taken up, and, on motion of Mr. WICKHAM, the amendments proposed by Mr. KEEZELL on Saturday was agreed to, and the bill, as amended, ordered to be engrossed and read a third time, and being forthwith engrossed, was, on his further motion, read the third time, and passed with its title.

✓ No. 595, Senate bill to authorize the councils of the city of Norfolk to issue bonds for sewerage and other purposes to the Fifth or Brambleton Ward of said city, and to submit the same to a vote of the electors of said city, was taken up, and, on motion of Mr. MAYNARD (the rules being suspended therefor), was ordered to be engrossed and read a third time, and being forthwith engrossed, on his further motion (two-thirds concurring), read the third time, and passed with its title.

On his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 482, Senate bill to amend and re-enact section 50 of chapter 5 of the Acts of the General Assembly of 1885-'86, entitled an act to provide a new charter for the town of Wytheville, approved February 26, 1886, was taken up, read the third time, and passed with its title.

The following House bills were taken up, read the third time, and passed with their titles:

✓ No. 458, House bill to amend and re-enact an act approved March 3, 1880, entitled an act to incorporate the town of Hillsboro, in the county of Loudoun.

✓ No. 358, House bill to provide a new charter for the town of Pocahontas.

✓ No. 181, House bill to amend and re-enact section 2 of an act entitled an act to amend and re-enact section 10 of an act entitled an act to incorporate the town of Hampton, in Elizabeth City county, Va., approved May 23, 1881, and to further amend and re-enact the said act by the adding of two additional sections thereto, to be known as sections 14 and 15 respectively, and to further amend and re-enact said act by changing the numbers of sections 14 and 15 in said act to 16 and 17 respectively, approved February 29, 1892.

✓ No. 152, House bill to authorize the council of the town of

- ✓ Salem, in Roanoke county, to issue new bonds of said town sufficient to retire the bonds issued for the construction of water works, and to transfer the lien of the deed of trust on said water works, its franchises, &c., to the bonds to be issued under this act.
- ✓ No. 100, House bill to prescribe a fence law for part of Curdsville magisterial district, in the county of Buckingham.
- ✓ No. 95, House bill to amend and re enact the first section of an act entitled an act to authorize the supervisors of Amherst county to issue bonds for the purpose of retiring outstanding bonds, approved February 24, 1888.
- ✓ No. 73, House bill to repeal an act entitled an act for the protection of sheep in Amherst county, approved March 2, 1894.
- ✓ No. 68, House bill to provide for working the public roads in Rappahannock county.
- ✓ No. 24, House bill reported from committee on county, city, and town organizations.
- ✓ No. 400, House bill to amend the charter of the Mercantile Publishing Company of Norfolk city.
- ✓ No. 317, House bill for the relief of the Orient Company, of Hartford, Conn.
- ✓ No. 394, To incorporate the Fairmount Traction Company.
- ✓ No. 274, House bill to authorize the trustees of the parsonage of the Methodist Episcopal Church, South, at Clintwood, Dickenson county, Virginia, to sell and convey the same, and to invest the proceeds arising therefrom in other parsonage property.
- ✓ No. 97, House bill to amend and re enact section 12 of an act to incorporate the Metropolitan Western Railroad of Virginia, approved February 4, 1890, as amended, etc.
- ✓ No. 379, House bill to dispense with formal warrants in certain cases before police justices and justices of the peace.
- ✓ No. 113, House bill to legalize primary elections in the county of Henrico.
- ✓ No. 384, House bill to authorize Z. R. Coats to erect a toll bridge over the Piankitank river at Turk's Ferry, in Middlesex county.
- ✓ No. 429, House bill to amend and re-enact sections 16 and 21 of an act approved February 12, 1892, entitled an act to amend and re-enact an act passed March 21, 1836, entitled an act to incorporate the town of Salem, in Botetourt county (now in Roanoke county), and all acts amendatory thereto.
- ✓ No. 388, House bill to improve the main thoroughfares of the county of Orange.
- ✓ No. 202, House bill to amend and re-enact sections 7, 8, 9, 10 and 25 of an act entitled an act to regulate and control guaranty, trust, indemnity, fidelity, and other like companies having for their purpose, or one of their purposes, to become security for the faithful performance of any trust, duty, contract, agreement or bond, public or private, official or otherwise, or to assume any duty or obligation

of like nature as principal or otherwise, or to become fiduciary, approved March 5, 1894.

✓ No. 231, House bill to amend and re-enact sections 525, 3518 and 3519 of the Code of Virginia in relation to fee bills.

✓ No. 387, House bill to amend and re-enact section 2 of an act entitled an act to incorporate Ingram Institute, approved March 1, 1892.

✓ No. 273, House bill to regulate the issue and sale of the bonds of the town of Pulaski.

✓ No. 195, House bill to constitute capitation tax a lien upon real estate owned by the person at the time such capitation tax is assessed, was taken up, read the third time, and passed with its title, by the following vote—ayes, 15; noes, 8.

AYES—Messrs. Buchanan, Echols, Fairfax, Green, Hale, G. W. Jackson, Jones, Jordan, Kane, LeCato, Lovenstein, Lowry, Parr, St. Clair, and Wickham—15.

NOES—Messrs. Claytor, Clement, Flood, Mason, Sands, Turnbull, Williams and Withers—8.

✓ No. 360, House bill entitled an act to amend and re-enact section 1 of an act authorizing the board of supervisors of each county in the State to levy a tax on dogs, and to enforce collection of said tax with certain penalties in case of failure to pay the same, approved March 5, 1894, was taken up, and, on motion, passed by.

✓ No. 154, House bill to amend and re-enact an act approved February 1, 1894, entitled an act to provide for working the roads in Northampton county, approved March 2, 1892, as amended by an act approved February 23, 1894, and to add thereto an independent section, was taken up, and, on motion of Mr. LeCato, indefinitely postponed.

✓ No. 391, House bill entitled an act to provide a new charter for the Iron Belt Building and Loan Association, of Roanoke, Virginia, was taken up.

✓ Mr. CLAYTOR moved to amend the bill, which was rejected, and the bill was read the third time, and passed with its title.

Mr. FLOOD moved to reconsider the vote, which was rejected.

✓ No. 389, House bill entitled an act to amend and re-enact section 2844 of the Code of Virginia as amended and re-enacted by an act entitled an act to amend section 2844 of the Code of Virginia in relation to public holidays, approved February 28, 1890, as amended and re-enacted by an act entitled an act to amend and re-enact section 2844 of the Code of Virginia as amended and re-enacted by an act to amend section 2844 of the Code of Virginia in relation to public holidays, approved February 5, 1892, was taken up, and, on motion of Mr. SANDS, amended, and, as amended, read the third time, and passed with its title.

✓ No. 319, House bill entitled an act to regulate the practice of veterinary medicine and surgery in the State of Virginia, was taken up, and, on motion of Mr. JONES, passed by.

- ✓ No. 365, House bill for the relief of Dr. B. F. Rowles, was taken up, and, on motion of Mr. SANDS, passed by.
- ✓ No. 371, House bill for the relief of William E. Teasley, dentist, was taken up, and, on motion of Mr. SANDS, passed by.
- ✓ No. 329, House bill to incorporate the Falls Church and Potomac Railway Company, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 211, House bill to amend an act entitled an act to authorize and empower the Alleghany Iron Company to construct and operate a railroad under certain limitations, approved January 16, 1892, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 64, House bill to require the judges of courts and the clerks to certify to the treasurer lists of all allowances made by courts, was taken up, read the third time, and rejected.
- ✓ No. 66, House bill to provide for the disposition of the body of a person upon whom sentence of death for crime has been executed where said body is claimed by certain relations of the deceased, was taken up, read the third time, committee's substitute agreed to, and passed.

On motion of Mr. SANDS, the title was amended so as to read as follows:

- ✓ No. 66, House bill entitled an act to amend and re-enact section 1778 of the Code of Virginia with reference to notification of the board for distributing dead human bodies, and the delivering up of said bodies.
- ✓ No. 143, House bill to amend and re-enact section 4041 of the Code of Virginia, in relation to what verdict to specify when jury find accused guilty of murder; if guilt confessed, duty of court, was taken up, read the third time, and rejected.
- ✓ No. 169, House bill to amend and re-enact section 3225 of the Code of 1887, in relation to the service of process against or notice to a corporation, was taken up, read the third time, the committee's amendments agreed to, and passed with its title.
- ✓ No. 410, House bill to regulate the salary of the police justice of the city of Norfolk, was taken up, read the third time, and passed with its title by the following vote—ayes, 25; noes, none.

AYES—Messrs Barnes, Buchanan, Clement, Echols, Fairfax, Flood, Green, Hale, G. W. Jackson, Jones, Jordan, Kane, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, Parr, Sands, St. Clair, Turnbull, Wickham, Williams, and Withers—25.

NOES—None.

- ✓ On motion of Mr. WITHERS, the following joint resolution was proposed; and, on motion of Mr. JONES (the rules being suspended therefor), agreed to and passed:

Resolved by the Senate (the House of Delegates concurring), That the auditor of public accounts be and he hereby is directed

to notify the sheriffs of the counties of the State, and the sergeants of the corporations, that the law relating to the transportation of convicts to the penitentiary of this State has been changed, and that hereafter no payments will be made to the sergeants and sheriffs, or their deputies, by reason of this transportation.

On motion of Mr. SANDS (the rules being suspended therefor), the clerk was ordered to communicate all House bills passed to-day.

On motion of Mr. HALE, the Senate adjourned until to-morrow, twelve o'clock.

TUESDAY, FEBRUARY 18, 1896.

Mr. LOVENSTEIN, President *pro tem.*, in the chair.

Prayer by Rev. W. V. Tudor.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In House of Delegates, February 17, 1896.

✓ The House of Delegates has passed Senate bills entitled an act to amend and re-enact section 862, Code of Virginia, 1887, entitled treasurer's annual settlement with the supervisors; to deliver books, &c., to successors, No. 74; an act to incorporate the Interstate Railroad Company, No. 318; an act to amend and re-enact section 7 of chapter 3 of an act entitled an act to provide a new charter for the town of Graham, in the county of Tazewell, approved February 29, 1892, No. 457; and an act for the protection of deer and wild turkeys in the counties of New Kent and Charles City, No. 488.

✓ They have passed, with an amendment, Senate bill entitled an act to incorporate the Potomac and Ohio Railroad Company, No. 333.

✓ They have agreed to a joint resolution electing P. G. Miller a member of the electoral board of Goochland county to fill a vacancy in said board.

✓ They have passed House bills entitled an act to establish a circuit court for the city of Newport News, No. 456; an act to amend and re-enact section 3056 of the Code of Virginia, 1887, providing for the establishment of circuit courts, and also to amend and re-enact subdivision 8, section 3057 of said Code, constituting eighth judicial circuit, No. 457; an act to amend and re-enact section 46 of an act approved February 29, 1892, Acts of 1891-2, chapter 439, entitled an act to amend and re-enact section 46 of chapter 4 of an act approved February 12, 1890, entitled an act to change the name of Goodson to the city of Bristol, Va., and to provide a new charter for

the same, No. 462; an act to amend and re-enact section 3, chapter 743, of the Acts of Assembly of 1893-'94, in relation to the time of assessing for taxation oysters and shells, changing the time from February 1st to November 1st, No. 463; an act authorizing M. A. Finch to erect a wharf opposite her land in Newport News, Va., on the north side of James river, No. 483; an act to amend and re-enact section 2071 of the Code, in reference to unlawful hunting, &c., on another's lands, No. 523; an act authorizing the commissioner of direct taxes for the county of Prince George to pay over to the board of supervisors of said county any balance of direct tax fund in his hands, to be used in improvement of public roads of said county, and providing for enforcing payment of same, and for refunding any of said fund to persons entitled thereto, No. 568; an act prescribing how a person riding a bicycle shall pass a vehicle or person on horseback on the public highways and bridges, and providing penalties, No. 571; an act to repeal chapter 73 of the acts of the General Assembly of Virginia, approved January 23, 1894, concerning the salary of the board of supervisors of Warwick county, No. 577; an act to repeal chapter 364 of the Acts of the General Assembly of Virginia, approved February 25, 1892, entitled an act to authorize the board of supervisors of Warwick county to increase the salary of the commonwealth's attorney of Warwick county, No. 578; an act to repeal chapter 8 of the Acts of the General Assembly of Virginia, approved December 16, 1893, entitled an act to authorize the board of supervisors of Warwick county to increase the salary of the clerk of the county court of the said county, No. 579; an act to provide for the adjustment and division of liabilities, property, and assets, between the county of Warwick and the city of Newport News, Va., and to provide for the occupation of certain property, No. 580; an act to amend and re-enact section 814 of the Code, as amended by Acts of Assembly 1893-'94, in relation to bonds of officers, No. 582; an act to provide for the auditing and payment of claims in connection with public free schools in school district No. 1. in the county of Warwick and the city of Newport News, No. 583; an act to allow the voters of Montgomery county to vote on a fence law, No. 584; an act to amend and re-enact the law for the protection of game in Shenandoah county, Va., No. 585; an act in relation to fencing railroad tracks in the counties of Russell and Tazewell, No. 586; an act in relation to the fencing of railway tracks in the county of Dinwiddie, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 587; an act to amend and re-enact section 3820 of the Code, in relation to keeper of ordinary, &c., permitting unlawful gaming at his house, &c., how punished, No. 588; an act to incorporate the Lake Drummond Railway and Hotel Company, No. 591; an act in relation to commitment of minors to Prison Association of Virginia and their custody, No. 593; an act to allow James Lennis Shoemaker to change his name, No.

✓ 594; an act to allow George W. Glenn to erect a pier in Pocomoke Sound, in Accomac county, No. 596; an act to allow Chas. T. Jester to erect a wharf on Chincoteague Bay, in Accomac county, No. 597; an act to allow Wm. T. Lewis to erect a wharf on Chincoteague Bay, in Accomac county, No. 598; an act to allow A. S. Mathews to erect a wharf on Pocomoke Sound, in Accomac county, No. 599; an act to restrict the sale of spirituous liquors, or any mixture thereof, within one mile of any boundaries within any local option district in Accomac county, No. 602; an act to compensate school trustees, other than clerks, in King George and Stafford counties, No. 603; an act to authorize the board of supervisors of Giles county to issue bonds for the purpose of building a bridge or bridges in said county, No. 604; an act to authorize the board of supervisors of Amherst county to refund a dog tax for said county, No. 605; an act to incorporate the trustees of the Whosoever Home and Farm, No. 606; an act in relation to the fencing of railway tracks in the county of Scott, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 607; an act to amend and re-enact section 525 of the Code of Virginia in relation to the collection of fees of the commissioner of revenue, No. 608.

In which amendments, resolution and bills they request the concurrence of the Senate.

Joint resolution electing P. G. Miller a member of the electoral board of Goochland county to fill a vacancy in said board, was taken up and agreed to.

No. 333, Senate bill to incorporate the Potomac and Ohio Railroad Company, was taken up, and the amendments proposed by the House of Delegates agreed to.

✓ No. 456, House bill entitled an act to establish a circuit court for the city of Newport News, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.

✓ No. 457, House bill entitled an act to amend and re-enact section 3056 of the Code of Virginia, 1887, providing for the establishment of circuit courts, and also to amend and re-enact sub-division 8, section 3057 of said Code constituting the eighth judicial circuit, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 462, House bill entitled an act to amend and re-enact section 46 of an act approved February 29, 1892, Acts of 1891-92, chapter 439, entitled an act to amend and re-enact section 46 of chapter 4 of an act approved February 12, 1890, entitled an act to change the name of Goodson to the city of Bristol, Va., and to provide a new charter for the same, was taken up, twice read, and on motion of Mr. BUCHANAN (the rules being suspended therefor), placed on the calendar.

- ✓ No. 463, House bill entitled an act to amend and re-enact section 3, chapter 743 of the Acts of Assembly of 1893-94, in relation to the time of assessing for taxation oysters and shells, changing the time from February 1st to November 1st, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 483, House bill entitled an act authorizing M. A. Finch to erect a wharf opposite her land in Newport News, Va., on the north side of James river, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.
- ✓ No. 523, House bill entitled an act to amend and re-enact section 2071 of the Code in reference to unlawful hunting, &c., on another's land, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 568, House bill entitled an act authorizing the commissioner of direct taxes for the county of Prince George to pay over to the board of supervisors of said county any balance of direct tax fund in his hands, to be used in improvement of public roads of said county, and providing for enforcing payment of same and for refunding any of said fund to persons entitled thereto, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 571, House bill entitled an act prescribing how a person riding a bicycle shall pass a vehicle or person on horseback on the public highways and bridges, and providing penalties, was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 577, House bill entitled an act to repeal chapter 73 of Acts of General Assembly of Virginia, approved January 23, 1894, concerning the salary of the board of supervisors of Warwick county, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.
- ✓ No. 578, House bill entitled an act to repeal chapter 364 of the Acts of the General Assembly of Virginia, approved February 25, 1892, entitled an act to authorize the board of supervisors of Warwick county to increase the salary of the Commonwealth's attorney of Warwick county, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.
- ✓ No. 579, House bill entitled an act to repeal chapter 8 of the Acts of the General Assembly of Virginia, approved December 16, 1893, entitled an act to authorize the board of supervisors of Warwick county to increase the salary of the clerk of the county court of said county, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.
- ✓ No. 580, House bill entitled an act to provide for the adjustment and division of liabilities, property, and assets between the county of Warwick and the city of Newport News, Va., and to provide for the occupation of certain property, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.

- ✓ No. 582, House bill entitled an act to amend and re-enact section 814 of the Code, as amended by Acts of Assembly 1893-94, in relation to bonds of officers, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 583, House bill entitled an act to provide for the auditing and payment of claims in connection with free public schools in District No. 1, in the county of Warwick and the city of Newport News, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.
- ✓ No. 584, House bill entitled an act to allow the voters of Montgomery county to vote on a fence law, was taken up, twice read, and referred to the committee on county, city and town organizations.
- ✓ No. 585, House bill entitled an act to amend and re-enact the law for the protection of game in Shenandoah county, Va., was taken up, twice read, and referred to the committee on fish and game.
- ✓ No. 586, House bill entitled an act in relation to the fencing of railway tracks in the counties of Russell and Tazewell, defining when corporations are not liable for injuries, and establishing their liabilities in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 587, House bill entitled an act in relation to the fencing of railway tracks in the county of Dinwiddie, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 588, House bill to amend and re-enact section 3820 of the Code in relation to keeper of ordinary, &c., permitting unlawful gaming at his house, &c.; how punished, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 591, House bill to incorporate the Lake Drummond Railway and Hotel Company, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 593, House bill in relation to commitment of minors to Prison Association of Virginia and their custody, was taken up, twice read, and, on motion of Mr. SANDS (the rules being suspended therefor), placed on the calendar.
- ✓ No. 594, House bill to allow James Lennis Shoemaker to change his name, was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 596, House bill to allow George W. Glenn to erect a pier in Pocomoke Sound, in Accomac county, was taken up, twice read, and on motion of Mr. LE CATO (the rules being suspended therefor), placed on the calendar.
- ✓ No. 597, House bill to allow Charles T. Jester to erect a wharf on Chincoteague Bay, in Accomac county, was taken up, twice read,

and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.

✓ No. 598, House bill to allow William T. Lewis to erect a wharf on Chincoteague Bay, in Accomac county, was taken up, twice read, and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.

✓ No. 599, House bill to allow A. S. Matthews to erect a wharf on Pocomoke Sound, in Accomac county, was taken up, twice read, and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.

✓ No. 602, House bill to restrict the sale of spirituous liquors, or any mixtures thereof, within one mile of any boundaries within any local option district in Accomac county, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 603, House bill to compensate school trustees, other than clerks, in King George and Stafford counties, was taken up, twice read, and on motion of Mr. MASON, (the rules being suspended therefor), placed on the calendar.

✓ No. 604, House bill to authorize the board of supervisors of Giles county to issue bonds for the purpose of building a bridge or bridges in said county, was taken up, twice read, and, on motion of Mr. GREEN (the rules being suspended therefor), placed on the calendar.

✓ No. 605, House bill to authorize the board of supervisors of Amherst county to refund a dog tax for said county, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 606, House bill to incorporate the trustees of the Whosoever Home and Farm, was taken up, twice read, and referred to the committee on general laws.

✓ No. 607, House bill entitled an act in relation to the fencing of railway tracks in the county of Scott, defining when the corporations are not liable for injuries and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 608, House bill to amend and re-enact section 525 of the Code of Virginia in relation to the collection of fees of the commissioner of the revenue, was taken up, twice read, and, on motion of Mr. McILWAINE (the rules being suspended therefor) placed on the calendar.

Mr. WILLIAMS, from the committee on county, city, and town organizations, reported without amendment,

✓ No. 182, House bill to amend and re-enact section 1065, chapter 45, of the Code of Virginia, in relation to the duties of fire marshals in cities and towns.

He, from the same committee, reported without amendment,

✓ No. 312, House bill for compensation of William S. Jones and

William T. Dougherty, for services beyond the time allotted by law in assessing the lands of Elizabeth City county.

- ✓ He, from the same committee, reported without amendment,
✓ No. 418, House bill to amend and re-enact sections 2, 4 and 10 of the charter of the town of Shenandoah, Page county, Virginia, approved February 12, 1884, as amended by acts February 6, 1890, and to add thereto sections 13, 14, 15, 16 and 17.

- ✓ He, from the same committee, reported with amendments,
✓ No. 428, House bill entitled an act to authorize the county court of Buckingham county to establish a public ferry across James river at or adjacent to Howardsville, between the counties of Buckingham and Albemarle or Nelson, adjacent to or near to the public ferry already established across said river at said point.

- On motion of Mr. HAY, the vote by which
✓ No. 68, House bill to provide for working the public roads in Rappahannock county, was passed was reconsidered, and on his further motion the bill was amended; and on his further motion, the bill, as amended, was passed with its title.

- On motion of Mr. CLAYTOR, the vote by which
✓ No. 429, House bill to amend and re-enact sections 16 and 21 of an act approved February 12, 1892, entitled an act to amend and re-enact an act passed March 21, 1836, entitled an act to incorporate the town of Salem, in Botetourt county (now in Roanoke county), and all acts amendatory thereto, was passed was reconsidered, and on his further motion passed by.

- He, from the same committee, reported without amendment,
✓ No. 435, House bill to fix the salary of the judge of the counties of Elizabeth City and Warwick as judge of the county court of the said county of Warwick, and to provide for the payment of the same.

- He, from the same committee, reported without amendment,
✓ No. 416, House bill entitled an act to provide for working and keeping in repair the public roads of Lee county.

- He, from the same committee, reported without amendment,
✓ No. 431, House bill entitled an act to amend and re-enact section 2107 of the Code of Virginia, 1887, in relation to the inspection of dams and rivers by supervisors and councilmen.

- ✓ He, from the same committee, reported without amendment,
✓ No. 528, House bill entitled an act to amend and re-enact section 8 of an act entitled an act to provide for working and keeping in repair the roads and bridges in Nansemond county, approved March 3, 1894.

- ✓ He, from the same committee, reported without amendment,
✓ No. 530, House bill entitled an act to authorize the board of supervisors of Nansemond county to have the lands of all persons in said county, or in selected portions thereof, or of individuals who may request it, processioned.

He, from the same committee, reported without amendment,

✓ No. 532, House bill entitled an act to authorize the board of supervisors of Brunswick county to levy a tax on dogs.

He, from the same committee, reported without amendment,

✓ No. 535, House bill entitled an act to provide for working and keeping in repair the public roads of Scott county.

He, from the same committee, reported without amendment,

✓ No. 558, House bill entitled an act to amend and re-enact an act entitled an act to provide for working and keeping in repair the public roads of Nelson county, approved March 7, 1894.

He, from the same committee, reported without amendment,

✓ No. 560, House bill entitled an act to prohibit the running at large of sheep in a certain district in Prince William county.

He, from the same committee, reported without amendment,

✓ No. 581, House bill entitled an act to locate the court house, clerk's office and jail of the county of Warwick.

He, from the same committee, reported with a substitute,

✓ No. 557, Senate bill to provide for an adjustment and division of liabilities, property, and assets between the county of Warwick and the city of Newport News, Virginia, and to provide for the occupation of certain property.

And he, from the same committee, reported with amendments,

✓ No. 579, Senate bill to punish the illicit traffic in intoxicating liquors in the counties of Wythe, Carroll and Grayson.

Mr. JONES, from the committee for courts of justice, reported with amendment,

✓ No. 309, Senate bill to amend and re-enact sections 2945 and 2949 of the Code as to warrants for small claims.

He, from the same committee, reported without amendment,

✓ No. 449, Senate bill to amend and re-enact section 2849 of the Code of Virginia, so as to declare and define what bills, notes, &c., are negotiable and may be protested.

He, from the same committee, reported with an amendment,

✓ No. 548, Senate bill to amend and re-enact section 3251 of the Code of Virginia relating to forms of actions and declarations on policy of insurance.

He, from the same committee, reported with the recommendation that it be referred to special committee on criminal expenses,

✓ No. 110, House bill to amend and re-enact an act entitled an act to amend and re-enact section 4106 of the Code of Virginia, touching the jurisdiction of police justices and justices of the peace as to the trial of offenders in certain cases, approved February 23, 1894.

Committee's recommendation agreed to, and the bill ordered to be so referred.

He, from the same committee, reported with amendments,

✓ No. 233, House bill to amend and re-enact section 3160 of the Code of Virginia in relation to the pay and mileage of jurors.

He, from the same committee, reported with recommendation that it be referred to the special committee on criminal expenses,

- ✓ No. 454, House bill to amend and re-enact section 4016 of the Code of Virginia, as amended and re-enacted by an act approved February 12, 1894, in relation to where criminal offences committed in counties and cities are to be tried, and when and by whom the venire facias is to be issued.

And he, from the same committee, reported with the recommendation that it be referred to the special committee on criminal expenses,

- ✓ No. 480, House bill to amend and re-enact section 3969 of the Code of Virginia, with reference to when a justice to discharge an accused person who is before him for examination, and what to do when there is sufficient cause to charge him.

Mr. WICKHAM, from the committee on finance and banks, reported committee's bill,

- ✓ No. 611, Senate bill to amend section 774 of the Code of Virginia, requiring auditor of public accounts to keep accounts against treasurer also of court expenses.

He, from the same committee, reported committee's bill,

- ✓ No. 610, Senate bill to amend section 925 of the Code of Virginia relating to court-house, clerk's office, and jail stationery and furniture.

He, from the same committee, reported that it is inexpedient to legislate on the subject at this time,

- ✓ A resolution, That the auditor of public accounts be and he is hereby instructed not to draw his warrant for any fiscal year on account of any item of expenses for a greater amount than was appropriated for that purpose.

He, from the same committee, reported without amendment,

- ✓ No. 491, Senate bill to enable the rector and board of visitors of the Virginia Agricultural and Mechanical College to procure a supply of water, and to construct and maintain a system of water works.

He, from the same committee, reported with the recommendation that it do not pass,

- ✓ No. 219, House bill to appoint R. E. Wynn agent of the State of Virginia to collect and settle claims due from the United States to Virginia.

He, from the same committee, reported without amendment,

- ✓ No. 520, House bill entitled an act to fix the penalty of the bond of the treasurer of Nansemond county, require every sixty days statement of collections and payment into the treasury of the State's revenue, and to empower the county board of supervisors to demand new or additional bond.

And he, from the same committee, reported without amendment,

- ✓ No. 559, House bill entitled an act to authorize the personal representative of M. T. Gooch, late treasurer of Louisa county, to collect by distress unpaid tax tickets held by the said M. T. Gooch at

the date of his death in 1894, and which have been accounted for to the State and county and not returned delinquent and insolvent.

Mr. SANDS, from the committee on general laws, reported with the recommendation that it do not pass,

- ✓ No. 578, Senate bill to amend and re-enact section 1 of an act, approved January 23, 1896, entitled an act to confirm and validate the charter of the People's Perpetual Loan and Building Association of Roanoke, Virginia, granted by the corporation court of the city of Roanoke, Virginia.

He, from the same committee, reported without amendment,

- ✓ No. 596, Senate bill to amend and re-enact section 3792 of the Code of Virginia in relation to fighting cocks, dogs, &c., in Alexandria county, how punished, and to amend the title thereof.

He, from the same committee, reported without amendment,

- ✓ No. 265, House bill to amend and re-enact section 3810 of the Code of Virginia, entitled appointment of police for religious meetings.

He, from the same committee, reported without amendment,

- ✓ No. 393, House bill entitled an act to amend and re-enact section 377 of the Code of Virginia, in relation to the military board.

He, from the same committee, reported with recommendation that it be referred to the committee for courts of justice,

- ✓ No. 477, House bill to protect all payment made to the holder of any policy in any accident company, sick benefit company, or any company of like kind, from levy or distress for any debt due by the insured.

- ✓ On motion of Mr. HAY, the committee's recommendation was agreed to, and the bill ordered to be so referred.

He, from the same committee, reported without amendment,

- ✓ No. 540, House bill entitled an act to provide for the better preservation of order at race courses, fair grounds, base-ball and football parks, and other places where athletic sports are held.

He, from the same committee, reported without amendment,

- ✓ No. 513, House bill to authorize the trustees to sell the William or Stoneberger Church property in Page county, Virginia, and invest proceeds.

He, from the same committee, reported without amendment,

- ✓ No. 566, House bill entitled an act to incorporate the trustees of Kecoughtan Lodge, No. 29, Knights of Pythias, of Hampton, Virginia.

And he, from the same committee, reported without amendment,

- ✓ No. 441, House bill entitled an act to incorporate the Wakefield Cemetery.

The committee on finance and banks presented

No. 610, Senate bill to amend and reenact section 925 of the Code relating to courthouse, clerks' office and jail stationery and furniture.

The committee on finance and banks presented

— No. 611, Senate bill to amend and re-enact section 774, Code of Virginia, requiring auditor of public accounts to keep accounts against treasurer also of court expenses.

Mr. BUCHANAN, by leave, presented

- ✓ No. 612, Senate bill to amend and re-enact section 3049 of the Code of Virginia, as amended and re-enacted by an act approved March 5, 1894, entitled an act to amend and re-enact section 3049 of the Code of Virginia, providing when a judge of a county or corporation court fails to hold the same, what judge may do so; when governor to designate judge to do so; his pay and mileage; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

- ✓ Mr. MAYNARD, by leave, presented

No. 613, Senate bill to amend and re-enact sections 1586 and 1592 of the Code of Virginia in relation to the Virginia Agricultural and Mechanical College; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. McILWAINE, by leave, presented

- ✓ No. 614, Senate bill to amend the charter and extend and define the boundaries of the city of Norfolk; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. TURNBULL, by leave, presented

- ✓ No. 615, Senate bill providing for the working, opening and keeping in repair the roads in the county of Brunswick, and for the building and keeping in repair the bridges in said county; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. HAY, by leave, presented

- ✓ No. 616, Senate bill appropriating the sum of \$6,000 to the Prison Association of Virginia for the use of its reformatory or industrial school at Laurel for each of the fiscal years 1896 and 1897; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MASON, by leave, presented

- ✓ No. 617, Senate bill suspending time of redeeming land sold for delinquent taxes and bought by the auditor in cases where proceedings in equity have been instituted by parties interested in such lands; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. WITHERS, by leave, presented

- ✓ No. 618, Senate bill to amend and re-enact section 859 of the Code of Virginia in relation to warrant book; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. JONES, by leave, presented

✓ No. 619, Senate bill to incorporate the Natural Bridge Railway and Improvement Company; which, on his motion was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

✓ Mr. FAIRFAX presented the following petition; which, on his motion, was referred to the committee on finance and banks:

To the Legislature of Virginia:

✓ We, the Fairfax Quarterly Meeting of the religious society of Friends, embracing the membership in the counties of Frederick, Clarke, Loudoun, Fairfax and Alexandria, respectfully petition your body to provide for the establishment in this State, at the earliest date practicable, of an industrial reform school or schools, where youthful offenders may be properly cared for apart from adult and hardened criminals, to the end that they may be reformed, and, through practical training, led to lives of usefulness.

We believe the results of such institutions would be—first, the reformation and education of the individual; second, promotion of morality and order in the community; third, reduction of criminal expenses of the State.

In making this petition, we feel justified by the demands of common humanity and the encouraging experience of other States that have established institutions of this kind.

Signed on behalf of Fairfax Quarterly Meeting of Friends, held at Lincoln, Loudoun county, Virginia, eighth month 19th, 1895, by

YARDLEY T. BROWN,

HANNAH H. HENDRICKSON,

Clerks.

The following House bills were taken up, read the third time, and passed with their titles:

✓ No. 385, House bill entitled an act to provide for working and keeping in repair the public roads of Buchanan and Dickenson counties.

✓ No. 244, House bill empowering the board of supervisors of Dickenson county to increase the salary of the judge of the county court of said county.

✓ No. 243, House bill empowering the Board of supervisors of Buchanan county to increase the salary of the judge of the county court of said county.

✓ No. 383, House bill entitled an act to authorize the board of supervisors of Henrico county, Virginia, to adopt sanitary rules and regulations for that portion of said county lying within three-fourths of a mile of the corporate limits of the city of Richmond.

✓ No. 372, House bill entitled an act to allow Luke C. Lewis to erect a wharf on Chincoteague bay, in Accomac county.

✓ No. 381, House bill entitled an act to amend and re-enact section 3, chapter 73 of the acts of assembly for the extra session of 1887,

- entitled an act to amend an act for working the public roads of Fairfax county.
- ✓ No. 382, House bill entitled an act to provide for working and defining the boundaries of certain roads in Fairfax county.
 - ✓ No. 283, House bill to amend and re-enact an act entitled an act to prevent the erection of slaughter-houses within half a mile of the city of Norfolk, approved March 1, 1878.
 - ✓ No. 331, House bill to amend and re-enact section 9 of an act of the General Assembly of Virginia, approved March 3, 1894, entitled an act to provide a new charter for the town of Clintwood, in Dickenson county.
 - ✓ No. 360, House bill to amend and re-enact section 1 of an act authorizing the board of supervisors of each county in the State to levy a tax on dogs, and to enforce collection of said tax, with certain penalties in case of failure to pay the same, approved March 5, 1894, was taken up, committee's amendments agreed to, and various other amendments proposed and agreed to, and read the third time and passed.
 - ✓ On motion of Mr. TURNBULL, the title was amended by adding these words, "and to add an independent section."
 - ✓ No. 365, House bill for the relief of Dr. B. F. Rowles, was taken up, and, on motion of Mr. MORRIS, recommitted to the committee on general laws.
 - ✓ No. 371, House bill for the relief of William E. Teasley, dentist, was taken up, and, on motion of Mr. HAY, recommitted to the committee on general laws.
 - ✓ No. 206, House bill to legalize primary elections and conventions in the city and county of Alexandria, was taken up, and, on motion of Mr. MASON, passed by.
 - ✓ No. 262, House bill to amend and re-enact chapter 443 of the Acts of Assembly of 1891-1892, page 740, entitled an act to compensate school trustees, other than clerks, in the counties of Campbell, Appomattox, Buckingham, and Cumberland, was taken up, read the third time and passed—title amended.
 - ✓ No. 319, House bill to regulate the practice of veterinary medicine and surgery in the State of Virginia, was taken up, and, on motion of Mr. FAIRFAX, amended and read the third time as amended, and passed with its title.
 - ✓ No. 335, House bill to provide a new charter for the city of Roanoke, was taken up, and, on motion of Mr. CLAYTOR, passed by.
 - ✓ No. 118, Senate bill entitled an act to fix the compensation of attorneys for the Commonwealth, was taken up, being the special order of the day, and the substitute presented by the committee was agreed to, and read the second time, and ordered to be engrossed and read a third time.
 - ✓ No. 561, Senate bill to amend and re-enact section 11 of an act entitled an act to provide a charter for the city of Winchester, ap-

proved April 2, 1874, was taken up, read the third time, and passed with its title.

The following Senate bills were taken up, read the second time, and ordered to be engrossed and read a third time:

- ✓ No. 551, Senate bill to authorize the council of the city of Bristol to issue bonds to pay its bonded indebtedness.
- ✓ No. 533, Senate bill to amend and re-enact section 1842 of the Code, as amended and re-enacted by an act entitled an act to amend and re-enact section 1842 of the Code of Virginia in relation to sale by samplers and others of unclaimed tobacco in warehouses of the city of Richmond, and disposition of the proceeds, approved March 3, 1890.
- ✓ No. 547, Senate bill to amend and re-enact sections 3, 7 and 8 of an act entitled an act to incorporate the Madison and Orange Railroad Company, approved February 26, 1894.
- ✓ No. 519, Senate bill to incorporate the Stonewall Jackson Institute, at Abingdon, Va.
- ✓ No. 313, Senate bill to amend and re-enact chapter 598 of an act of the General Assembly of Virginia, approved March 3, 1894, entitled an act in relation to working and keeping in repair the roads and bridges of Alexandria county.
- ✓ No. 255, Senate bill to authorize the qualified voters of Alexandria county to vote on the question of the removal of the courthouse from Alexandria city to some point within Alexandria county.
- ✓ No. 565, Senate bill to authorize and empower the council of the town of Colonial Beach to borrow money for the use of said corporation.
- ✓ No. 562, Senate bill to amend and re-enact section 11 of an act approved January 22, 1892, entitled an act to amend and re-enact the charter of the town of Marion, Virginia.
- ✓ No. 554, Senate bill to authorize the increase of the capital stock of the Portsmouth Street Railway Company.
- ✓ No. 549, Senate bill to amend and re-enact sections 1 and 6 of an act entitled an act to incorporate the Mineral Belt Railway and Tramway Company, approved January 18, 1896.
- ✓ No. 406, Senate bill to amend and re-enact section 1002, chapter 43, of the Code of Virginia, providing how abandoned turnpikes shall be kept in order, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time.
- ✓ No. 185, Senate bill to repeal an act, approved March 2, 1894, entitled an act to create a board of excise commissioners for Alexandria county, was taken up, read the second time, committee's report agreed to, and the bill rejected.
- ✓ No. 433, Senate bill to amend and re-enact section 96 of chapter 9 of the Code of Virginia, in relation to the election of district

officers, was taken up, read the second time, committee's substitute agreed to, and, on motion of Mr. HAY, the bill was passed by.

✓ No. 564, Senate bill to amend and re-enact section 1 of an act of the General Assembly of Virginia, approved January 9, 1896, entitled an act ratifying and confirming a resolution of the council of the city of Portsmouth, adopted in relation to the terms of its members, was taken up, and, on motion of Mr. MAYNARD, indefinitely postponed.

✓ No. 568, Senate bill to amend and re-enact sections 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, and 1696, and to repeal section 1677 of Code of Virginia, in regard to lunatic hospitals and the care of insane persons, was taken up, and, on motion of Mr. LOVENSTEIN, made a special order for Thursday, one o'clock.

✓ No. 411, Senate bill to amend and re-enact section 860, Code of Virginia, as to how warrants are paid, and to receive county and school warrants and jury and witness tickets for the payment of taxes, was taken up, committee's amendments agreed to, and ordered to be engrossed and read a third time.

✓ No. 509, Senate bill to provide for a method for the better assessment of personal property under the control of fiduciaries and the several courts of the Commonwealth, was taken up, committee's amendments agreed to, ordered to be engrossed and read a third time.

Resolved, That when the hour of three o'clock arrives, the chair shall be vacated, and resumed at 8 o'clock P. M., at which time only those bills to which no objections are urged shall be considered.

Which was agreed to by the following vote—ayes, 18; noes, 10.

AYES—Messrs. Barnes, Buchanan, Claytor, Fairfax, Flanagan, Hale, G. W. Jackson, Kane, LeCato, Lowry, Mason, Maynard, Parr, Sands, St. Clair, Turnbull, Williams, and Withers—18.

NOES—Messrs. Echols, Flood, Green, Hay, Jones, Jordan, Lovenstein, McIlwaine, Morris, and Wickham—10.

Mr. WICKHAM, by leave, presented the following resolution,

✓ Whereas, a vacancy exists on the electoral board of Caroline county, by virtue of the acceptance of the treasurership of Caroline county, and consequent resignation, by C. T. Smith, one of the members of said board; therefore, be it—

✓ Resolved by the Senate (the House of Delegates concurring), That W. G. Cogbill, of the county of Caroline, be and he is hereby elected and appointed to fill the vacancy on said board for the term prescribed by law,

Was taken up (the rules being suspended therefor), agreed to.

and, on motion of Mr. WICKHAM, he was ordered to inform the House of Delegates thereof.

✓ On motion of Mr. MORRIS, the Senate resolved itself into executive session, and, having dispatched the business before them, the doors were opened, and the following resolution adopted in executive session (the injunction of secrecy being removed), was ordered to be spread upon the journal of the Senate, and a copy thereof forwarded to the governor:

✓ Resolved, That the Senate advise and confirm the following appointments made by the governor:

Board of Visitors of the University of Virginia—Messrs. R. Tate Irvine, Big Stone Gap; Joseph Bryan, Richmond; William B. McIlwaine, Petersburg; Daniel Harmon, Charlottesville; to serve for four years from February 28, 1896.

On motion of Mr. HAY, the Senate adjourned until to-morrow, twelve o'clock.

WEDNESDAY, FEBRUARY 19, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. W. V. Tudor.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In the House of Delegates, February 18, 1896.

✓ The House of Delegates has passed Senate bills entitled an act to incorporate the Colonial Beach Agricultural and Industrial Association, No. 404; and an act to authorize the council of the city of Norfolk to issue bonds for sewerage and other purposes in the fifth or Brambleton ward of said city, and to submit the same to a vote of the electors of said city, No. 595.

✓ They have agreed to the amendments of the Senate to House bills entitled an act for the protection of game and song birds in the counties of Buckingham and Cumberland, No. 30; an act to prevent the extermination of game in Clarke county, No. 140; an act to repeal an act for the better protection of game in Nansemond county relative to killing of rabbits or hares, No. 117; an act to protect partridges (or quails), pheasants, and wild turkeys in the county of Montgomery, No. 155; an act to protect rabbits, or hares, and deer in the county of Chesterfield, No. 208; and an act for the permanent improvement of roads in Stevensburg magisterial district of Culpeper county, and in such other districts as may adopt the same, No. 324.

They have passed House bills entitled an act to incorporate the

- ✓ Tidewater Telephone Company, No. 316; an act to authorize the United States Government to acquire title to and jurisdiction over certain lands at Cape Henry and Cape Charles, Va., for the purpose of fortifications and coast defence, No. 493; an act to incorporate the Washington, Warrenton, and Western Railway Company, No. 495; an act to amend and re-enact sections 4 and 6 of an act approved March 5, 1888, entitled an act providing for the subdivision of tracts of lands into lots or parcels, and for the record of plats thereof, No. 502; an act in relation to the fencing of railway tracks in the county of Rockingham, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 557.

In which bills they request the concurrence of the Senate.

- ✓ No. 316, House bill entitled an act to incorporate the Tidewater Telephone Company, was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 493, House bill entitled an act to authorize the United States government to acquire title to and jurisdiction over certain lands at Cape Henry and Cape Charles, Va., for the purpose of fortifications and coast defence, was taken up, twice read, and referred to the committee on general laws.
- ✓ No. 495, House bill entitled an act to incorporate the Washington, Warrenton and Western Railway Company, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 502, House bill entitled an act to amend and re-enact sections 4 and 6 of an act approved March 5, 1888, entitled an act to provide for the subdivision of tracts of land into lots or parcels, and for the record of plats thereof, was taken up, twice read, and referred to the committee on city, county and town organizations.
- ✓ No. 557, House bill entitled an act in relation to the fencing of railway tracks in the county of Rockingham, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

Mr. JONES, from the committee for courts of justice, reported with recommendation that the amendment be agreed to,

- ✓ No. 214, Senate bill to amend sections 3501 and 3502 of the Code of Virginia, in relation to fees of commissioners in chancery.

He, from the same committee, reported without amendment,

- ✓ No. 232, House bill to amend and re-enact section 3780 of the Code, in relation to carrying concealed weapons.

He, from the same committee, reported with a substitute,

- ✓ No. 334, House bill to amend and re-enact section 2042 of the Code of 1887, as amended by chapter 307 of the Acts of Assembly of 1887-'88, approved March 1, 1888, entitled an act in relation to trespass by cattle, &c.

✓ He, from the same committee, reported asking that this committee be relieved from further consideration of this bill, and recommend that it be referred to the special committee on criminal expenses,

✓ No. 405, House bill to amend and re-enact sections 4071, 4074 and 4075 of the Code of Virginia in relation to the confinement in jail, and release therefrom, of persons sentenced or directed by a court or justice to be confined therein in default of the payment of a fine, or fine and costs, or costs, where there is no fine; or until such fine, or fine and costs be paid, and the release from jail of persons in jail under *capias pro fine*, was taken up, committee's recommendation agreed to, and ordered to be so referred.

And he, from the same committee, reported without amendment,

✓ No. 457, House bill to amend and re-enact section 3056 of the Code of Virginia 1887, providing for the establishment of circuit courts, and also to amend and re-enact subdivision 8, section 3057, of said Code, constituting eighth judicial circuit.

Mr. ECHOLS, from the committee on roads and internal navigation, reported with amendment.

✓ No. 584, Senate bill to incorporate the Atlantic, Winchester and Western Railroad.

He, from the same committee, reported without amendment,

✓ No. 586, Senate bill to incorporate the Lake Drummond Railway and Hotel Company.

He, from the same committee, reported with amendment,

✓ No. 547, House bill entitled an act to incorporate Virginia Electric Railroad and Mining Company.

He, from the same committee, reported without amendment,

✓ No. 548, House bill entitled an act to incorporate Virginia Coal and Iron Company, with privileges of constructing and operating railroads.

He, from the same committee, reported with amendment,

✓ No. 550, House bill entitled an act to incorporate the Falls Church, Fairfax and Manassas Railway Company.

And he, from the same committee, reported with an amendment,

✓ No. 551, House bill entitled an act to incorporate the Potomac Western Railroad Company.

Mr. WICKHAM, from the committee on finance and banks, reported with an amendment,

✓ No. 47, House bill to amend and re-enact an act entitled an act to require the payment of fees on certain charters, approved February 10, 1890, as amended by an act approved February 28, 1890, and further amended and re-enacted by an act approved January 22, 1894.

He, from the same committee, reported with a substitute, and with the recommendation that the substitute do not pass,

✓ No. 105, House bill to amend the first subdivision of section 8 of

the tax bill, approved March 6, 1890, so as to provide for the listing of bonds, notes, and other evidences of debt subject to taxation.

He, from the same committee, reported without amendment.

- ✓ No. 373, House bill to release the land of Peter McLaren, in Bath county, from the payment of taxes and levies illegally assessed therein for the years 1890, 1892, 1893, 1894, and 1895.

He, from the same committee, reported without amendment.

- ✓ No. 376, House bill entitled an act to amend and re-enact section 36 of an act entitled an act to provide for the assessment of taxes, &c., for the support of the government, approved March 6, 1890, as to sale by agents, and add thereto.

And he, from the same committee, reported that the committee recommend that the Senate concur in the amendments to

- ✓ No. 34, Senate bill to prohibit any fire insurance company incorporated or licensed in this State, from issuing a policy or policies of insurance on any single risk for more than ten per cent. of its capital stock and assets, or if a mutual company for more than five per cent. of its cash assets, and providing the penalty for so doing.

Mr. SANDS, from the committee on general laws, reported without amendment,

- ✓ No. 365, House bill for the relief of Dr. B. F. Rowles.

He, from the same committee, reported as amended,

- ✓ No. 401, House bill in relation to insurance companies and associations.

He, from the same committee, reported with amendments,

- ✓ No. 575, House bill entitled an act to incorporate the Alleghany Rod and Gun Club.

And he, from the same committee, reported without amendment,

- ✓ No. 629, Senate bill for the prevention of accidents caused by the breaking of the trolley wires on street railways.

Mr. ECHOLS, by leave, presented

- ✓ No. 620, Senate bill to amend and re-enact an act approved February 23, 1888, as amended by an act entitled an act to amend and re-enact the charter of the town of Waynesboro, approved January 26, 1892; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

Mr. JONES, by leave, presented

- ✓ No. 621, Senate bill for the relief of M. W. Dobson and A. F. Stuart; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. HALE (by request), by leave, presented

- ✓ No. 622, Senate bill to amend and re-enact section 1243 of chapter 51 of the Code of 1887, so as to allow qualified voters of Floyd county to vote subscription to the Blue Ridge railroad; how submitted to the vote of the people; restrictions on subscriptions, and providing for the Blue Ridge Railroad Company to pay the expense of any election held under this act; which, on his motion, was read

the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

✓ Mr. MAYNARD, by leave, presented

✓ No. 623, Senate bill to incorporate the Elizabeth River Toll Bridge Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. HAY, by leave, presented

✓ No. 624, Senate bill to authorize the Winchester and Potomac Railroad Company to borrow money and give a lien on its property to secure it, and to fix the recording tax and to confirm its existing lease to the Baltimore and Ohio Railroad Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. FLOOD, by leave, presented

✓ No. 625, Senate bill to amend and re-enact section 70 of the Code of Virginia in relation to the pay of electoral boards; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on privileges and elections.

Mr. PARR, by leave, presented

✓ No. 626, Senate bill for the relief of Edgar Hackler of certain fine; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. CLAYTOR, by leave, presented

✓ No. 627, Senate bill to authorize the governor to advertise for bids and enter into a lease of all the natural oyster rocks, beds and shoals in the waters of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. CLEMENT, by leave, presented

✓ No. 628, Senate bill to authorize and empower the board of supervisors of Campbell county to issue bonds for the purpose of refunding the debt incurred by said county in subscribing to the stock of the Lynchburg, Halifax and North Carolina Railroad, under the act of February 12, 1886; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. SANDS, by leave, presented

✓ No. 629, Senate bill for the prevention of accident caused by the breaking of the trolley wires on street railways; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. WITHERS, by leave, presented

✓ No. 630, Senate bill to authorize and empower the city of Danville, Virginia, to extend its water main and pipes to the Danville Military Institute, in Pittsylvania county, Va., and supply the same with city water; which, on his motion, was read the first, ordered

to be read a second time, and referred to the committee on county, city and town organizations.

✓ Mr. WITHERS, by leave, presented

No. 631, Senate bill to amend and re-enact an act to confer upon the council of the town of Danville authority to build, purchase, repair and keep up a free bridge or free bridges across Dan river, and to confer upon the said corporation the power to increase its bonded indebtedness for public improvements, approved February 24, 1886, as amended and re-enacted by an act entitled an act to amend and re-enact section 2 of an act entitled an act to confer upon the council of the town of Danville authority to build, purchase, repair and keep a free bridge or free bridges across Dan river, and to confer upon the said corporation power to increase its bonded indebtedness for public improvements, approved April 6, 1887, and to amend the title thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

✓ Mr. STUBBS, by leave, presented

No. 632, Senate bill to provide for increasing the efficiency of the Virginia Volunteers; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. G. W. JACKSON, by leave, presented

✓ A petition from the citizens of Sussex county praying for legislation against the granting of licenses for the sale of ardent spirits; which, on his motion, was referred to the committee on general laws.

✓ No. 188, Senate bill to create a fish commission, &c., was taken up, and on motion of Mr. MORRIS, made the special and continuing order for Friday, the 21st inst., at one o'clock.

✓ No. 380, Senate bill to amend an act to incorporate Shoemaker College, in Scott county, approved March 1, 1894, was taken up, being the special order of the day, committee's amendments agreed to, and ordered to be engrossed and read a third time, by the following vote—ayes, 24; noes, 6.

AYES—Messrs. Barnes, Boykin, Brown, Claytor, Clement, Echols, Hale, Hay, G. W. Jackson, Jordan, Kane, Keezll, LeCato, Little, Mason, Maynard, McCune, Parr, Sands, Southall, Tredway, Turnbull, Wickham, and Williams—24.

NOES—Messrs. Buchanan, Fairfax, Lowry, Morris, St. Clair, and Stubbs—6.

✓ A message was received from the governor by his private secretary, who informed the Senate that he had vetoed

✓ No. 82, Senate bill entitled an act to incorporate the Peninsula Gas Light and Power Company.

✓ Mr. JONES moved to lay on the table and print, which was rejected.

Mr. STUBBS moved to refer the message and bill to the committee

for courts of justice, and the PRESIDENT ruled that it could not be referred to a committee.

Mr. STUBBS appealed from the ruling of the PRESIDENT, which appeal was sustained.

The PRESIDENT put the question, "Shall the chair be sustained?" which was decided in the negative by the following vote—ayes, 14; noes, 19.

AYES—Messrs. Boykin, Buchanan, Claytor, Green, Hay, Jones, Jordan, Kane, Keezell, LeCato, McCune, Southall, Turnbull, and Withers—14.

NOES—Messrs. Barnes, Brown, Clement, Fairfax, Hale, G. W. Jackson, Lovenstein, Lowry, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, St. Clair, Stubbs, Tredway, Wickham, and Williams—19.

On the further motion of Mr. STUBBS, to refer the message and bill to the committee for courts of justice, it was agreed to and so referred.

On motion of Mr. HAY, the Senate adjourned until to-morrow, twelve o'clock.

THURSDAY, FEBRUARY 20, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. W. V. Tudor.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In House of Delegates, February 19, 1896.

The House of Delegates has passed Senate bills entitled an act to provide for the transfer to the credit of the Commonwealth of the balance of the interest which accumulated on the direct tax fund in the hands of the State depositories after paying any unpaid expenses in connection therewith, No. 372; an act for the relief, under conditions, of Wm. Mayo, late treasurer of Westmoreland county, and his sureties, to the extent of payment of interest in excess of six per cent., No. 409; an act to repeal an act entitled an act relating to the unlawful hunting of deer in the county of Charles City, approved February 7, 1894, No. 487; and an act to amend and re-enact sections 4, 52, and 54, of an act entitled an act to amend and re-enact the charter of the town of Martinsville, in the county of Henry, approved March 3, 1892, so as to provide for the election of sergeant by the qualified voters of said town, No. 296.

They have passed, with an amendment, Senate bill entitled an

act to prescribe the times for holding the circuit courts in the ninth judicial circuit, No. 464.

✓ They have dismissed Senate bill entitled an act to amend and re-enact an act entitled an act for the protection of certain game in the county of Roanoke, No. 215.

✓ They have passed House bills entitled an act for the relief of M. P. Fulcher, of the county of Floyd, No. 569; and an act to regulate and license pawnbrokers, junk dealers, and dealers in second-hand personal property in the cities of Virginia and county of Henrico, Va., No. 339.

In which amendment and bills they request the concurrence of the Senate.

✓ No. 464, Senate bill to prescribe the times for holding the circuit courts in the ninth judicial circuit, was taken up, and the amendments proposed by the House of Delegates agreed to.

✓ No. 569, House bill entitled an act for the relief of M. P. Fulcher, of the county of Floyd, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 339, House bill entitled an act to regulate and license pawnbrokers, and to regulate junk-dealers and dealers in second-hand and personal property in the cities of Virginia and county of Henrico, was taken up, twice read, and referred to the committee on finance and banks.

Mr. WICKHAM, from the committee on finance and banks, reported a committee bill,

✓ No. 634, Senate bill appropriating the public revenue for the two fiscal years ending respectively the 30th day of September, 1896, and the 30th day of September, 1897, which was ordered to be printed, and made the special and continuing order for Monday, the 24th instant, one o'clock.

Mr. JONES, from the committee for courts of justice, reported without amendment,

✓ No. 606, Senate bill to amend and re-enact an act approved February 27, 1894, prescribing the time for holding the circuit courts in the several counties comprising the fifteenth judicial circuit of Virginia.

He, from the same committee, reported with an amendment,

✓ No. 160, House bill to prevent gambling and selling or making books, pools, or mutuels within the Commonwealth of Virginia.

He, from the same committee, reported without amendment,

✓ No. 461, House bill to prevent pool-selling, and so forth, upon the results of any trials of speed of any animals or beasts taking place without the limits of the Commonwealth.

And he, from the same committee, reported with an amendment,

✓ No. 498, House bill to prohibit winter racing in Virginia.

Mr. LITTLE, for Mr. FLOOD, from the committee on fish and game, reported with amendments,

✓ No. 397, House bill entitled an act to amend and re-enact an act

approved January 27, 1896, entitled an act to prevent the extermination of partridges (or quail) in the State of Virginia.

He, from the same committee, reported with the recommendation that it do not pass,

- ✓ No. 295, Senate bill to provide the time and manner of granting licenses to persons working on the natural oyster rocks of Virginia.

He, from the same committee, reported with amendments,

- ✓ No. 407, Senate bill to amend and re-enact section 2137 and independent sections 5 and 8 of an act of the General Assembly in relation to oysters, approved March 5, 1894, and to amend and re-enact independent section 11 of an act approved February 25, 1892, in relation to oysters.

And he, from the same committee, reported with amendments,

- ✓ No. 523, Senate bill to incorporate the Broadwater Oyster Association.

Mr. WILLIAMS, for Mr. MUSHBACH, from the committee on county, city, and town organizations, reported with an amendment,

- ✓ No. 425, House bill entitled an act to amend and re-enact the special road law of Fauquier county, adopted at session of General Assembly, 1875-'76, and amended by acts of 1876-'77, 1878-'79, 1883-'84, and 1884.

He, from the same committee, reported with an amendment,

- ✓ No. 515, Senate bill to amend and re-enact section 819 of the Code of Virginia in relation to county, city and district officers.

And he, from the same committee, reported without amendment,

- ✓ No. 607, Senate bill to authorize the board of supervisors of Bland county to levy a tax for the purpose of repairing the public roads in said county.

Mr. FLOOD, by leave, presented

- ✓ No. 633, Senate bill to incorporate the Virginia Water Power Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BARNES, by leave, presented

- ✓ No. 635, Senate bill for the relief of Theodore Haxall; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MUSHBACH (by request), by leave, presented

- ✓ No. 636. Senate bill to amend and re-enact the second clause of section 3214 of the Code of Virginia, in relation to the county or corporation in which actions at or suits in equity may be brought; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MUSHBACH, by leave, presented

- ✓ No. 637, Senate bill to incorporate the Mount Vernon Military Institute; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. SOUTHALL, by leave, presented

- ✓ No 638, Senate bill to incorporate the McDaniel and Farmville

- ✓ Academy; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. MAYNARD (by request), by leave presented

- ✓ No. 639, Senate bill for working and keeping in repair the public roads in Norfolk county, and to repeal an act approved February 1, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. BUCHANAN (by request), by leave, presented

- ✓ No. 640, Senate bill to amend and re-enact section 8 of an act entitled an act to incorporate the Southwestern Railroad Company of Virginia, approved February 27, 1894; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. BUCHANAN, by leave, presented

- ✓ No. 641, Senate bill to incorporate the Norfolk Lumber Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BUCHANAN, by leave, presented

- ✓ No. 642, Senate bill to incorporate the Holston Oil and Manufacturing Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. SANDS, by leave, presented

- ✓ No. 643, Senate bill to incorporate the American Annuity Order of the city of Richmond; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. LITTLE, by leave, presented

- ✓ No. 644, Senate bill to amend and re-enact section 3 of the charter of the town of Louisa, Va.; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. FLOON, by leave, presented

- ✓ No. 645, Senate bill to incorporate the American Stemming Machine Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MAYNARD, by leave, presented

- ✓ No. 646, Senate bill to incorporate the Norfolk and Berkley Drawbridge Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on roads and internal navigation.

Mr. LITTLE, by leave, presented

- ✓ A petition from the citizens of Fredericksburg, Va., praying for the enlargement of the powers of the city council, &c.; which, on his motion, was referred to the committee on general laws.

Mr. LeCATO, by leave, presented

A resolution to appoint a committee to investigate and report upon a certain survey made under an act, approved February 26, 1894, with reference to the riparian rights on "Fox Island," in Accomac county; which, on his motion, was referred to the committee on fish and game.

Mr. BARNES, by leave, presented the following joint resolution:

Resolved (the House of Delegates concurring), That John L. Mayre, Jr., Edwin Phillips and B. D. Chandler be, and the same are hereby, elected and appointed the electoral board for the city of Newport News,

Which was taken up (the rules being suspended therefor), was agreed to, and on his further motion, he was ordered to inform the House of Delegates thereof.

No. 135, Senate bill to take the sense of the people on the call of a convention to revise and amend the Constitution, was taken up, being the special order of the day.

Mr. WICKHAM moved to postpone, which was disagreed to by the following vote—ayes, 15; noes, 18.

AYES—Messrs. Boykin, Brown, Echols, Fairfax, Flood, Hay, Jones, Kane, Little, Lovenstein, Morris, Mushbach, Sands, Southall, and Wickham—15.

NOES—Messrs. Buchanan, Claytor, Clement, Flanagan, Green, Hale, G. W. Jackson, Jordan, Keezell, LeCato, McCune, Parr, St. Clair, Stubbs, Terdway, Turnbull, Williams, and Withers—18.

After some discussion of the bill by Mr. WITHERS, Mr. MORRIS moved that it be postponed until Tuesday, the 25th instant, at one o'clock, which was agreed to.

Mr. FAIRFAX rose to a question of personal privilege, and stated that on yesterday, when Senate bill No. 380 was under consideration for engrossment he voted "No" unintentionally. He was paired with Mr. FLOOD, and should not have voted at all. Had Mr. FLOOD been present he would have voted "Aye" and he should have voted "No."

A message was received from the governor by his private secretary, who informed the Senate that the commissioners appointed to establish the boundary line between the county of Mecklenburg, Va., and the counties of Warren, Granville and Vance, of North Carolina, had submitted their report, and that he laid it before the Senate for their consideration.

On motion of Mr. HAY the message was laid on the table and ordered to be printed, and referred to the committee on finance and banks.

GOVERNOR'S OFFICE,
RICHMOND, VA., February 20, 1896.

To the General Assembly of Virginia:

Pursuant to an act of the General Assembly, entitled "An act to ascertain and establish, by monuments or otherwise, the boundary line between the State of

Virginia and North Carolina, so far as the said boundary line divides the county of Mecklenburg, in Virginia, from the counties of Granville, Warren, and Vance, in North Carolina," approved March 5, 1894, I appointed, on the 15th day of December, 1894, S. P. Read and J. W. Henrick, Commissioners upon the part of Virginia, to act with Commissioners to be appointed by the State of North Carolina for the purpose of ascertaining and establishing, by monuments or otherwise, the boundary line between the State of Virginia and North Carolina, so far as the said boundary line divided the county of Mecklenburg, in the State of Virginia, and Granville, Warren, and Vance, in the State of North Carolina.

The said Commissioners appointed as aforesaid by me have submitted their report, which I herewith submit to your honorable bodies as directed by said act.

I also lay before you a communication dated February 18, 1896, from His Excellency, Elias Carr, Governor of North Carolina, in reference to the said report and the survey made by the Commissioners of the two States. I call your special attention to the views of His Excellency in reference to the line which was run from the coast to Nottoway river by the Commissioners of the State of North Carolina. His Excellency expresses the opinion that this line should be permanently marked, and suggests that the Commissioners from Virginia be instructed to examine said line, and if found correct, that the same shall be recognized as the line for the distance named between the States.

I would recommend the adoption of the suggestion of His Excellency, and the appropriation of a sufficient amount to pay one-half the expenses incurred in surveying and making said line.

The act of March 5, 1894, empowered and authorized me to expend an amount not exceeding two hundred dollars in carrying into effect the said act. No portion of this sum has yet been paid out, and I have no report or estimate as to the cost of running and marking said line between the county of Mecklenburg, in this State, and the counties of Granville, Warren, and Vance, in North Carolina; but in the opinion of Governor Carr, the said amount of two hundred dollars will be insufficient to pay Virginia's part. I would therefore further recommend that authority be given me to draw a warrant for whatever balance may be necessary to meet one-half of the expenses of running said line and marking the same by monuments.

CHAS. T. O'FERRALL, *Governor.*

REPORT OF COMMISSIONERS.

CAMP NOBLIN, GRANVILLE, N. C.,
February 10, 1896.

To Governor CHARLES T. O'FERRALL,
Richmond, Va.:

We, the undersigned Commissioners of Virginia and North Carolina, appointed to define and mark the boundary line between the county of Mecklenburg, in Virginia, and the counties of Warren, Vance, and Granville, in North Carolina, beg leave to submit, through your Excellency, to the General Assembly of Virginia, this joint report. We met on the 25th day of April, 1895, in the town of Warrenton, N. C., and organized the Commission by electing Major Robert W. Alston, of Warren county, as Chairman. The work upon the line did not commence until the 26th of September last.

The Commission having accepted a strong traditional point on the farm of S. P. Read, in Mecklenburg county, as a proper starting point, the work was commenced from that place. Mr. A. A. Chapman, engineer, representing North Carolina, and Mr. W. H. Blanch, surveyor, representing Virginia, while agreeing with the Commission in accepting this as a strong traditional point in the State line, gave it as their opinion that no line could be run with accuracy between the counties named unless brought up from the point left off by a survey of Greenleaf and Howard in 1887, at or near Nottoway river, in Southampton county, Va. Their opinion having been communicated to Governor Carr, of North Carolina, he gave authority to the North Carolina Commissioners to proceed to Nottoway river and bring up the line. In the meantime, the Commissioners not having the authority to go then, decided to work from the point first selected, and proceeded to run about seven miles east, when authority was granted by Governor Carr to the North Carolina Commissioners to proceed to Nottoway river and continue the line left off by the

survey of 1887, which they did. The Virginia Commissioners did not accompany them, having no authority from your Excellency to do so. We, the Virginia Commissioners, would respectfully call attention to the work done by them in defining the line between Nottoway river and Mecklenburg line, as shown by map sketch of line of A. A. Chapman, engineer, which sketch we ask to be received as part of this report; and we would respectfully suggest that this line be accepted by the General Assembly, and properly marked by monuments or otherwise, which work, if done at all, should be done without delay, as the stakes planted are liable to be removed, and track grow up, thereby necessitating another survey.

When the Commission reached Mecklenburg, we, the Virginia Commissioners, rejoined them, and have defined the line between Mecklenburg county, Va., and the counties of Vance, Warren, and Granville, in North Carolina, a distance of thirty-three miles; there remains yet some six miles to be defined. Our reason for submitting this report at this time is that the North Carolina Commissioners desired to bring to your Excellency's attention, during the session of the Virginia Legislature, the work done by them in defining the line between Nottoway river and the Mecklenburg county line. The weather having seriously interfered with the work, we thought it best not to await its completion, as the sketch furnished by A. A. Chapman, engineer, shows the line in full from Nottoway river to the Mecklenburg line, and the part remaining to be defined in Mecklenburg will be furnished by him on the completion of the work.

We have marked the line as far as it is defined by temporary rock monuments, which the North Carolina Commissioners will proceed to replace by order of Gov. Carr with permanent monuments of granite, 8 by 10 inches, six feet high, dressed and inscribed every five miles.

We are gratified to find that the new line has followed so closely upon the traditional line, as shown by sketch, and that the difference in territory involved will be very small. We are further gratified to state that so far as we know the new line gives satisfaction to the citizens of both States.

Respectfully submitted,

(Signed)

S. P. READ,
J. W. HENDRICK,
Commissioners for Virginia.
R. W. ALSTON,
R. O. GREGORY,
Commissioners for North Carolina.

COMMUNICATION FROM GOVERNOR CARR.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
RALEIGH, February 18 h, 1896.

*To His Excellency, CHARLES T. O'FERRALL,
Governor of Virginia, Richmond, Va.:*

MY DEAR SIR:

In accordance with the act of your Legislature, you appointed Messrs. S. P. Read and James W. Hendricks, of Mecklenburg county, Va., Commissioners to run and mark the boundary line between Mecklenburg county, Va., and the counties of Granville, Vance, and Warren, in this State. I appointed R. W. Alston and R. O. Gregory for North Carolina.

The Commissioners met and surveyed a small part of said line in the month of September. They started at a traditional point opposite Palmer Springs, Va., and found, after running the line seven miles, such a departure from the then accepted and acknowledged line that it would be necessary to get an accurate starting point. The only line which had been agreed upon in recent years was the line run in 1887 from the coast to Nottoway river, and the Commissioners from this State, under my authority, went back to this point, and, on reaching the disputed territory, fixed a true starting point in Mecklenburg county, to which the commissioners of both States have agreed. The distance run from Nottoway river is sixty-two miles to the eastern corner of Mecklenburg county.

Your Commissioners had no authority to run this line from the Nottoway river,

and hence it was done by the Commissioners from this State. I think you will agree with me that it is better to have this line permanently marked now rather than to be compelled, at some future day, to rerun this line and go to the same expense, or even greater, and permitting this State to pay for this work a second time.

I would respectfully request that your Excellency lay this matter before the Legislature, now in session, and ask that they instruct their Commissioners to examine this line, and if found correct, to authorize you to agree with me that this shall be the dividing line between the States, and also to make an appropriation to pay for one-half the expenses in surveying and in marking the boundary line.

I note in the copy of the law sent me that \$200 is appropriated to pay for running and marking boundary line between Mecklenburg county and this State. I have no idea that this will be sufficient, and I ask whether or not I shall go ahead and have the stones made to mark this line, and will Virginia bear half the expense?

I would call your attention to the fact that it would have been manifestly unjust to either State to accept a traditional landmark, when a recently recorded starting point could be obtained, especially as sooner or later, as the population along the line increases, it will have to be definitely established and marked between the Nottoway river and Mecklenburg county. Even if it had taken three feet either way, hereafter it might have resulted disastrously to either State.

If your Excellency should take this view of the situation, I will furnish you with expense account and have map of true line sent you as soon as it is possible to obtain it from the surveyor in charge.

Awaiting your reply, I am, with highest esteem,

Yours very truly,
(Signed)

ELIAS CARR,
Governor of North Carolina.

Mr. MORRIS, from the committee to examine clerk's office, made the following report, which was ordered to be spread on the journal:

RICHMOND, VA., February 20, 1896.

To the Senate:

The committee to examine the office of Clerk of the Senate, this morning made a careful examination of said office. In making said examination, they noted in the Rules of the Senate the duties imposed upon the Clerk, and their examination was directed towards ascertaining with what diligence he had carried out these duties. They also examined carefully how and in what order and arrangement he preserved the papers and bills in the care and charge of the Senate. We desire to report that, in our opinion, the present Clerk has accurately and carefully discharged the duties imposed upon him; that the papers and bills are arranged and kept in due order, with a view to preservation and convenience, and that the office, generally speaking, is well administered.

GEO. W. MORRIS,
JOS. W. SOUTHALL,
GEO. W. JACKSON.

On motion of Mr. WICKHAM, the chair was vacated for fifteen minutes. Senator John W. Daniel being in the chamber was warmly greeted by his friends during the time.

✓ No. 429, House bill to amend and re-enact sections 16 and 21 of an act approved February 12, 1892, entitled an act to amend and re-enact an act passed March 21, 1836, entitled an act to incorporate the town of Salem, in Botetourt county (now in Roanoke county), and all acts amendatory thereto, was taken up.

✓ On motion of Mr. GREEN (the rules being suspended therefor), the bill was amended, and as amended read the third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 319, House bill to regulate the practice of veterinary medicine and surgery in the State of Virginia, was taken up, and read the third time.

✓ On motion of Mr. FAIRFAX (the rules being suspended therefor), the vote by which the amendment was agreed to was reconsidered; and on his further motion, rejected.

✓ The bill was then passed with its title.

✓ No. 485, House bill to empower the town council of Berryville to borrow money to construct an electric plant for lighting said town, was taken up, read the third time, and passed with its title.

✓ No. 474, House bill to amend and re-enact section 14 of an act entitled an act to provide for the working of and keeping in repair the public roads and bridges of Page county, for opening new roads, and changing the location of existing roads, approved February 14, 1888, was taken up, read the third time, and passed with its title.

✓ No. 300, House bill to amend and re-enact section 87 of the charter of the city of Richmond as amended by an act approved February 25, 1892, entitled an act to amend and re-enact sections 15, 23, 87, and 94, and subdivisions 5 and 6 of section 19 of the charter of the city of Richmond, was taken up, read the third time, and passed with its title.

On motion of Mr. LOVENSTEIN, the clerk was ordered to communicate the bill to the House of Delegates at once.

✓ No. 570, Senate bill to enlarge the corporate limits of the city of Staunton, and to extend the jurisdiction of the Hustings court and police justice thereof, was taken up, read the second time, the committee's substitute agreed to, and amended; and on his further motion, ordered to be engrossed and read a third time.

✓ No. 549, Senate bill to amend and re-enact sections 1 and 6 of an act entitled an act to incorporate the Mineral Belt Railway and Tramway Company, approved January 18, 1896, was taken up, read the third time, and passed with its title.

✓ No. 598, Senate bill to allow the board of supervisors of the county of Isle of Wight to contract a loan for the purpose of keeping in repair the roads and bridges in the said county, and to issue bonds therefor, was taken up, read the second time, on motion of Mr. BOYKIN the committee's substitute agreed to, and ordered to be engrossed; and being forthwith engrossed, on his further motion

(two-thirds concurring), read the third time and passed with its title.

✓ No. 380, Senate bill to amend an act to incorporate Shoemaker College, in Scott county, approved March 1, 1894, was taken up, read the third time, and passed with its title by the following vote—ayes, 28; noes, 5.

✓ AYES—Messrs. Barnes, Boykin, Brown, Claytor, Clement, Echols, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Kane, Keezell, LeCato, Little, Lovenstein, Mason, Maynard, McCune, Mushbach, Parr, Sands, Southall, Tredway, Turnbull, Wickham, and Williams—28.

NOES—Messrs. Buchanan, Fairfax, Jones, Morris, and St. Clair—5.

✓ No. 509, Senate bill to provide for a method for the better assessment of personal property under the control of fiduciaries and the several courts of the Commonwealth, was taken up, read the third time, and passed with its title.

✓ No. 491, Senate bill to enable the rector and board of visitors of the Virginia Agricultural and Mechanical College to procure a supply of water, and to construct and maintain a system of water works, was taken up, read the second time, on motion of Mr. MAYNARD ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. WICKHAM (two-thirds concurring), read the third time and passed with its title by the following vote—ayes, 37; noes, none.

✓ AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, Morris, Mushbach, Parr, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—37.

NOES—None.

✓ No. 34, Senate bill to prohibit any insurance company, incorporated or licensed in this State, from issuing a policy or policies of insurance on any single risk for more than ten per cent. of its capital stock, or, if a mutual company, for more than five per cent. of its cash assets, and providing the penalty for so doing, was taken up, and the amendment proposed by the House of Delegates agreed to.

✓ No. 214, Senate bill to amend sections 3501 and 3502 of the Code of Virginia in relation to fees of commissioners in chancery, was taken up, and the amendment proposed by the House of Delegates agreed to.

✓ No. 17, Senate bill to amend and re-enact section 5 of an act of the General Assembly of Virginia, approved February 12, 1894, entitled an act to establish the law and equity court of the city of Richmond, and to define its jurisdiction and relation to the other courts of said city, was taken up, read the third time, and rejected by the following vote—ayes, 16; noes, 19.

AYES—Messrs. Boykin, Brown, Clement, Fairfax, Flanagan, Flood, Green, Hay, Jordan, Little, Lovenstein, Lowry, Maynard, Sands, Stubbs, and Wickham—16.

NOES—Messrs. Barnes Buchanan, Claytor, Echols, Hale, E. H. Jackson, G. W. Jackson, Jones, Keezell, McCune, Morris, Mushbach, Parr, Southall, St. Clair, Tredway, Turnbull, Williams, and Withers—19.

✓ No. 378, Senate bill to amend and re-enact section 5 of an act entitled an act to create a board of excise commissioners for Alexandria county, approved March 2, 1894, was taken up, read the third time and passed.

✓ No. 568, Senate bill to amend and re-enact sections 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, and 1696, and to repeal section 1677 of Code of Virginia, in regard to lunatic hospitals and the care of insane persons, was taken up, and on motion of Mr. LOVENSTEIN, postponed until one o'clock to-morrow.

✓ No. 152, Senate bill to amend and re-enact sections 1714, 1715, 1717, 1724, and 1725 of the Code of Virginia in relation to the powers, duties, and compensation of the State board of health, and to make an appropriation for maintaining the same, was taken up, read the third time and passed with its title, by the following vote—ayes, 24; noes, 2.

AYES—Messrs. Barnes, Boykin, Brown, Clement, Fairfax, Green, Hay, Jordan, Keezell, LeCato, Lovenstein, Lowry, Mason, McCune, Morris, Mushbach, Parr, Sands, St. Clair, Stubbs, Tredway, Turnbull, Wickham and Withers—24.

NOES—Messrs. Hale, and Williams—2.

✓ On motion of Mr. STUBBS, the following Senate bills, with the messages, which were vetoed by the Governor, were ordered to be referred to the committee for courts of justice: Nos. 33, 455, 154, 493, 82, 193, 168, and 181.

Special order of the day,

✓ No. 118, Senate bill entitled an act to fix the compensation of attorneys for the Commonwealth, was taken up, and after several ineffectual motions, Mr. BOYKIN moved to reconsider the vote by which the bill was ordered to be engrossed; which was rejected.

Mr. BOYKIN moved to adjourn; which was rejected by the following vote—ayes, 12; noes, 15.

AYES—Messrs. Barnes, Boykin, Claytor, Hale, G. W. Jackson, Jordan, Kane, LeCato, Lovenstein, Sands, St. Clair, and Stubbs—12.

NOES—Messrs. Buchanan, Clement, Echols, Green, Hay, Jones, Keezell, McCune, Morris, Mushbach, Tredway, Turnbull, Wickham, Williams, and Withers—15.

✓ Mr. HAY called the pending question, and on motion of Mr. STUBBS, the bill was read by the clerk, and the bill was then re-

✓ jected by the following vote—ayes, 18; noes, 9—not receiving a constitutional vote.

AYES—Messrs. Buchanan, Clement, Echols, Hale, G. W. Jackson, Jones, Jordan, Lovenstein, Lowry, Mason, Morris, Southall, St. Clair, Tredway, Turnbull, Wickham, Williams, and Withers—18.

NOES—Messrs. Claytor, Green, Kane, Keezell, LeCato, McCune, Mushbach, Parr, and Stubbs—9.

✓ Mr. KEEZELL moved to reconsider the vote by which the bill was rejected, and Mr. MORRIS moved to pass by the motion to reconsider; which was agreed to.

On motion of Mr. HAY, the Senate adjourned until to-morrow, twelve o'clock.

FRIDAY, FEBRUARY 21, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. W. V. Tudor.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In the House of Delegates, February 20, 1896.

✓ The House of Delegates has passed Senate bills entitled an act to authorize the trustees of Tazewell High School to sell and convey any property held by them to the trustees of the Jeffersonville District Free School Board, to be held by the latter for free school purposes, No. 458; an act to amend and re-enact section 6 of an act entitled an act to incorporate Bondtown, in Wise county, approved February 24, 1894, No. 508; an act to amend the charter of the town of Keysville, Charlotte county, No. 521; and an act to amend and re-enact section 12 of an act entitled an act to amend and re-enact the charter of the town of Ashland, approved February 15, 1894, No. 563.

✓ They have agreed to Senate joint resolution electing W. G. Coghill a member of the Electoral Board of Caroline county to fill a vacancy on said board.

✓ They have agreed to the amendments of the Senate to House bills entitled an act to incorporate the Falls Church and Potomac Railway Company, No. 329; and an act to amend and re-enact section 2844 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend section 2844 of the Code of Virginia in relation to public holidays, approved February 28, 1890, as amended and re-enacted by an act entitled an act to amend and re-enact section 2844 of the Code of Virginia as amended, and re enacted by an act to amend section 2844 of the Code of Virginia in relation to public holidays, approved February 5, 1892, No. 389.

In which bills and joint resolution they request the concurrence of the Senate.

✓ Mr. KEEZELL, by leave, presented

No. 647, Senate bill to amend and re-enact an act entitled an act providing for a charter for the town of Harrisonburg, in force July 9, 1870, as amended by sundry subsequent acts; which, on his motion, was read the first, ordered to be read a second time; and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. WICKHAM, by leave, presented the following resolutions, which were agreed to:

Resolved, That the chair be vacated at 3 o'clock and resumed at 4 o'clock this afternoon.

Resolved, That when the Senate adjourns to-day, it adjourns to meet again on Monday, February 24th, at 12 M.

✓ Mr. JORDAN, by leave, presented

No. 648, Senate bill for the relief of persons and property in the town of South Boston improperly assessed with county levies; which, on his motion, was read the first, ordered to be read a second time; and on his further motion (the rules being suspended therefor), placed on the calendar; on his further motion, read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), read the third time and passed with its title.

✓ Mr. BROWN, by leave, presented

No. 649, Senate bill to amend and re-enact section 1 of an act entitled an act to prescribe the times for holding the circuit courts of the sixth judicial circuit since the addition thereto of the counties of Amherst and Nelson, as provided by an act approved February 5, 1896; approved February 17, 1896; which, on his motion, was read the first, ordered to be read the second time; and on his further motion (the rules being suspended therefor), placed on the calendar.

✓ Mr. BROWN, by leave, presented

No. 650, Senate bill to amend and re-enact section 2109, Code of Virginia, relating to penalty for unlawful fishing; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Committee's bill,

✓ No. 651, Senate bill to amend and re-enact sections 1767 and 1769, Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 1767 and 1774, as amended and re-enacted by an act approved March 2, 1894, relating to the practice of dentistry.

✓ Mr. SOUTHALL, by leave, presented

No. 652, Senate bill providing for working public roads in Prince Edward county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

✓ Mr. LOWRY, by leave, presented

No. 653, Senate bill for the relief of Wm. P. Jessee, a disabled

- ✓ Confederate soldier of Bedford county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.
- ✓ Mr. McCUNE, by leave, presented
- ✓ No. 654, Senate bill to incorporate the Mount Hebron Cemetery, near Middletown, Frederick county; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.
- ✓ Mr. LOVENSTEIN, by leave, presented
- ✓ No. 655, Senate bill to increase the number of governors for the Masonic Home of Virginia; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.
- ✓ Mr. LITTLE, by leave, presented
- ✓ No. 656, Senate bill to incorporate the Peninsular Gaslight, Fuel and Power Company; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.
- ✓ Mr. WITHERS, from committee to examine auditor's office, reported as follows:

RICHMOND, VA., February 21, 1896.

To the Honorable Senate of Virginia:

- ✓ Your committee, appointed to investigate the office of the auditor of public accounts, respectfully report that as far as they have been able to examine the office, they find it in satisfactory condition.

They also respectfully submit that such an examination as they have authority, and are enabled to make, is practically of no real use or benefit.

EUGENE WITHERS,
J. E. MASON,
W. H. HALE.

Mr. STUBBS, from the committee on public institutions and education, reported without amendment.

- ✓ No. 599, Senate bill to authorize the board of trustees of Margaret Academy, in Accomac county, to hold meetings with less than a quorum of its members.

He, from the same committee, reported without amendment.

- ✓ No. 353, House bill to authorize the president and faculty of Luray College, Luray, Va., to confer certificates of distinction, and to award diplomas.

He, from the same committee, reported without amendment.

- ✓ No. 422, House bill entitled an act for the compensation of school trustees of Mecklenburg county.

He, from the same committee, reported with amendments.

- ✓ No. 455, House joint resolution to provide for the creation of a

✓ Labor Reform Commission for the purpose of investigating how best to employ the convicts confined in the penitentiary and reformatories and prisons in this State, other than by contract system.

✓ He, from the same committee, reported without amendment, No. 471, House bill to authorize the District School Board of Trustees of Petsworth district, Gloucester county, Virginia, to sell certain land bought by them but not needed for public school purposes.

And he, from the same committee, reported with the recommendation that it do not pass,

✓ No. 516, House bill entitled an act to amend and re-enact section 1663 of the Code of Virginia, so as to provide for the appointment of a female physician, whose duties shall be in the female wards of the hospitals of the State.

Mr. JONES, from the committee for courts of justice, reported recommending that the bill do pass, notwithstanding the objections of the Executive,

✓ No. 82, Senate bill entitled an act to incorporate the Peninsula Gas Light, Fuel and Power Company.

✓ The bill was subsequently taken up, read the third time, and the Senate refused to concur in the recommendation by the following vote—ayes, 24; noes, 14.

✓ AYES—Messrs. Barnes, Echols, Fairfax, Flood, Green, Hale, Hay, E. H. Jackson, Jones, Jordan, Kane, Little, Lovenstein, Lowry, Mason, Maynard, McCune, Morris, Mushbach, Parr, Southall, Stubbs, Tredway, and Wickham—24.

✓ NOES—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Flanagan, G. W. Jackson, Keezell, LeCato, McIlwaine, St. Clair, Turnbull, Williams, and Withers—14.

He, from the same committee, reported recommending that the bill do pass notwithstanding the objections of the Executive,

✓ No. 154, Senate bill to incorporate the Pacific Company.

The bill was subsequently taken up, and read the third time.

Mr. FLOOD moved to pass by.

✓ Mr. JONES moved to reconsider the vote to pass by, which was agreed to, and the recommendation of the committee agreed to by the following vote—ayes, 29; noes, 9.

✓ AYES—Messrs. Barnes, Brown, Buchanan, Echols, Fairfax, Flanagan, Flood, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Southall, St. Clair, Stubbs, Tredway, and Wickham—29.

✓ NOES—Messrs. Boykin, Claytor, Clement, Green, Keezell, LeCato, Turnbull, Williams, and Williams—9.

On motion of Mr. JONES he was ordered to inform the House of Delegates thereof.

And he, from the same committee, reported without amendment,

✓ No. 612, Senate bill to amend and re-enact section 3049 of the

- Code of Virginia, as amended and re-enacted by an act approved
- ✓ March 5, 1894, entitled an act to amend and re-enact section 3049 of the Code of Virginia, providing when judge of a county or corporation court fails to hold same, what judge may do so; when governor to designate judge to do so; his pay and mileage.

Mr. SANDS, from the committee on general laws, reported without amendment,

- ✓ No. 280, House bill to amend and re-enact an act to authorize the county of Powhatan to change the form of the bonds subscribed to the Farmville and Powhatan Railroad Company, approved December 19, 1889, and to amend the same so as to allow the board of supervisors of said county to refund the conditional bonds and the interest thereon.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 366, House bill for the relief of W. P. McGinnis, a dentist, of Grayson county.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 367, House bill for the relief of J. M. Hill.

He, from the same committee, reported with the recommendation that it do not pass,

- ✓ No. 368, House bill for the relief of James L. Grant, a dentist, of Washington county, Va.

• He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 369, House bill for the relief of John H. Rennie, a dentist, of Washington county, Va.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 370, House bill for the relief of Dr. J. H. Spier.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 371, House bill for the relief of William E. Teasley, dentist.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 399, House bill for the relief of J. H. Hickey and H. F. Jackson.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 156, House bill to amend and re-enact the preamble and first section of an act authorizing the counties of Cumberland and Powhatan to change the form of the bonds subscribed to the Farmville and Powhatan Railroad Company.

He, from the same committee, reported without amendment,

- ✓ No. 528, Senate bill to incorporate the National Adjustment Society.

He, from the same committee, reported with the recommendation that it do not pass,

- ✓ No. 111, Senate bill to authorize the county of Powhatan to borrow money.

He, from the same committee, reported with the recommendation that it do not pass,

- ✓ No. 529, Senate bill to authorize the county of Powhatan to compromise and settle certain outstanding bonds of that county, and to borrow money for the purpose, and to issue bonds for the same.

He, from the same committee, reported committee's bill,

- ✓ No. 651, Senate bill to amend and re-enact sections 1767 and 1769 Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 1767 and 1774, as amended and re-enacted by an act approved March 2, 1894, relative to the practice of dentistry.

He, from the same committee, reported without amendment,

- ✓ No. 543, Senate bill to regulate the sale of cider and other intoxicants in the village of Lovington, Nelson county.

And he, from the same committee, reported without amendment,

- ✓ No. 643, Senate bill to incorporate the American Annuity Order of the city of Richmond.

Mr. ECHOLS, from the committee on roads and internal navigation, reported without amendment,

- ✓ No. 624, Senate bill to authorize the Winchester and Potomac Railroad Company to borrow money and give a lien on its property to secure it, and to fix the recording tax, and to confirm its existing case to the Baltimore and Ohio Railroad.

Substitute for

- ✓ No. 188, Senate bill to create the board of fisheries, define its duties, and fix its salaries, was taken up, being the special order for to-day, read the second time, and ordered to be engrossed and read a third time by the following vote—ayes, 18; noes, 14.

AYES—Messrs. Boykin, Buchanan, Clement, Echols, Fairfax, Green, Hay, E. H. Jackson, Jones, Jordan, Kane, Keezell, LeCato, McIlwaine, Morris, Mushbach, St. Clair, and Turnbull—18.

NOES—Messrs. Brown, Flanagan, Hale, G. W. Jackson, Little, Lovenstein, Maynard, McCune, Parr, Sands, Stubbs, Tredway, Williams and Withers—14.

- ✓ And being forthwith engrossed, Mr. STUBBS moved that the bill have its third reading to day, and (two-thirds concurring) was read the third time and passed with its title by the following vote—ayes, 21; noes, 13.

AYES—Messrs. Boykin, Buchanan, Clement, Echols, Fairfax, Flood, Green, Hay, E. H. Jackson, Jones, Jordan, Kane, Keezell, LeCato, McIlwaine, Morris, Mushbach, Sands, St. Clair, Turnbull, and Wickham—21.

NOES—Messrs. Brown, Flanagan, Hale, G. W. Jackson, Little, Lovenstein, Maynard, McCune, Parr, Stubbs, Tredway, Williams, and Withers—13.

- ✓ On motion of Mr. MORRIS, the title was amended so as to read, "An act to create the Board of Fisheries of Virginia, define its duties, and fix the salary of its members."

The following Senate bills were taken up, read the third time, and passed with their titles:

- ✓ No. 551, Senate bill to authorize the council of the city of Bristol to issue bonds to pay its bonded indebtedness.
- ✓ No. 533, Senate bill to amend and re-enact section 1842 of the Code, as amended and re-enacted by an act entitled an act to amend and re-enact section 1842 of the Code of Virginia in relation to sale by samplers and others of unclaimed tobacco in warehouses of the city of Richmond, and disposition of the proceeds, approved March 3, 1890.
- ✓ No. 547, Senate bill to amend and re-enact sections 3, 7 and 8 of an act entitled an act to incorporate the Madison and Orange Railroad Company, approved February 26, 1894.
- ✓ No. 519, Senate bill to incorporate the Stonewall Jackson Institute, at Abingdon, Va.
- ✓ No. 406, Senate bill to amend and re-enact section 1002, chapter 43, of the Code of Virginia, providing how abandoned turnpikes shall be kept in order.
- ✓ No. 313, Senate bill to amend and re-enact chapter 598 of an act of the General Assembly of Virginia, approved March 3, 1894, entitled an act in relation to working and keeping in repair the roads and bridges of Alexandria county.
- ✓ No. 255, Senate bill to authorize the qualified voters of Alexandria county to vote on the question of the removal of the courthouse from Alexandria city to some point within Alexandria county.
- ✓ No. 565, Senate bill to authorize and empower the council of the town of Colonial Beach to borrow money for the use of said corporation.
- ✓ No. 562, Senate bill to amend and re-enact section 11 of an act approved January 22, 1892, entitled an act to amend and re-enact the charter of the town of Marion, Virginia.
- ✓ No. 554, Senate bill to authorize the increase of the capital stock of the Portsmouth Street Railway Company.
- ✓ No. 411, Senate bill to amend and re-enact section 860, Code of Virginia, as to how warrants are paid, and to receive county and school warrants and jury and witness tickets for the payment of taxes.
- ✓ No. 570, Senate bill to enlarge the corporate limits of the city of Staunton, and to extend the jurisdiction of the hustings court and police justice thereof, was taken up, read the third time, and passed with its title.
- ✓ No. 465, Senate bill to promote oyster culture in Chesapeake bay, was taken up, and Mr. STUBBS moved to reconsider the vote by which the Senate concurred in the House amendment, agreed to,

and the vote recurring upon the adoption of the amendment, was disagreed to.

✓ No. 118, Senate bill to amend and re-enact section 3528 of the Code of Virginia, and to repeal section 3526 of the Code of Virginia, in relation to fees of attorneys for the Commonwealth, was taken up, and Mr. KEEZELL moved to reconsider the vote by which the bill was rejected on yesterday; which was agreed to, and on his further motion the bill was read the third time and passed with its title by the following vote—ayes, 24; noes, 3.

AYES—Messrs. Brown, Buchanan, Clement, Echols, Fairfax, Green, Hale, G. W. Jackson, Jones, Jordan, Kane, Keezell, Lovenstein, Lowry, McIlwaine, Morris, Mushbach, Southall, St. Clair, Tredway, Turnbull, Wickham, Williams, and Withers—24.

NOES—Messrs. McCune, Parr, and Stubbs—3.

✓ No. 206, House bill to legalize primary elections and conventions in the city and county of Alexandria, was taken up, and on motion of Mr. MUSHBACH, indefinitely postponed.

✓ No. 409, Senate bill for the relief, under conditions, of William Mayo, late treasurer of Westmoreland county, and his sureties, to the extent of payment of interest in excess of 6 per cent., was taken up, read the third time, and passed with its title.

✓ No. 285, House bill to amend and re-enact an act approved February 28, 1894, to regulate the killing or capturing of game, &c., was taken up, on motion of Mr. ECHOLS, amended, read the third time, and passed with its title.

✓ No. 328, House bill to incorporate the Blacksburg Railway Company, was taken up, read the third time, and passed with its title.

✓ No. 330, House bill to incorporate the Potomac River Railroad Company, was taken up, read the third time, and passed as amended with its title.

✓ No. 48, House bill to amend and re-enact a special revenue bill, approved February 22, 1890, was taken up, amendment agreed to, read the third time, and rejected by the following vote—ayes, 16; noes, 16.

AYES—Messrs. Buchanan, Clement, Fairfax, Green, Hale, G. W. Jackson, Jones, Keezell, Lovenstein, Mushbach, Sands, Tredway, Turnbull, Wickham, Williams, and Withers—16.

NOES—Messrs. Barnes, Boykin, Flanagan, Flood, Hay, E. H. Jackson, Jordan, LeCato, Little, Lowry, Maynard, McIlwaine, Morris, Parr, St. Clair, and Stubbs—16.

At the hour of three P. M. the chair was vacated until four P. M.

EVENING SESSION.

Mr. HAY presented the following resolution, which was adopted:

Resolved, That no bills which cause discussion shall be acted upon at this evening's session, and that all bills be taken up in their regular order on the calendar.

Mr. LOWRY, by leave, presented

- ✓ No. 657, Senate bill for the relief of R. F. Hughes, Thomas Mitchell, James H. Lowhome, J. M. Craghead, and John Fieldes, disabled Confederate soldiers, of Bedford county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. MAYNARD, by leave, presented

- ✓ No. 658, Senate bill to incorporate the Virginia Electrical Power and Light Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. MASON, by leave, presented

- ✓ No. 659, Senate bill to amend and re-enact section 2920 of the Code of Virginia relating to limitation in personal actions generally; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

The following House bills were taken up, read the third time, and passed with their titles:

- ✓ No. 363, House bill to amend and re-enact certain sections of the charter of the town of Culpeper.
- ✓ No. 364, House bill to allow W. P. Wilson and W. T. Fergusson to erect a pier or wharf at Fergusson's wharf, on James river.
- ✓ No. 374, House bill to give to John C. Hall, late treasurer of the county of Franklin, and his deputies, power of levy and distress to collect certain uncollected tax tickets now in his hands.
- ✓ No. 375, House bill to allow James M. Crymes, deputy treasurer of Lunenburg county, time to collect unpaid tax tickets now in his hands.
- ✓ No. 272, House bill to amend and re-enact section 1 of an act entitled an act to provide a new charter for the town of Wytheville, Virginia, approved February 26, 1886 (Acts 1885-'86, page 293), and as amended by an act approved February 25, 1892 (Acts 1891-'92, page 654), and to amend and re-enact section 42 of said act, as amended by an act approved January 28, 1890 (Acts 1889-'90, page 187), and to amend and re-enact section 45 of said act, approved February 26, 1886 (Acts 1885-'86, page 293).
- ✓ No. 500, House bill relating to removing of the county court-house of Alexandria county, Virginia, to some site in the county.
- ✓ No. 488, House bill empowering the judge of the circuit court of Russell county to order certain causes to be properly indexed by the clerk thereof.

- ✓ No. 450, House bill to authorize the sale of the church and lot on Mayo street, in Richmond, known as the Universalist-Unitarian church.
- ✓ No. 473, House bill to incorporate the town of Saxis, in the county of Accomac.
- ✓ No. 438, House bill authorizing the board of supervisors of Page county to apply any surplus that may arise from what is known as the railroad tax to the payment of the amount expended by said board in the erection of a jailor's residence and jail in said county.
- ✓ No. 340, House bill entitled an act to amend and re-enact section 525 of the Code of Virginia, in relation to the collection of fees of the commissioner of revenue.
- ✓ No. 453, House bill to incorporate the Grayson County Farmers Mutual Benevolent Fire Insurance Company.
- ✓ No. 390, House bill to amend and re-enact chapter 559 of an act approved March 1, 1892 (Acts 1891-92), entitled an act to amend and re-enact sections 3807 and 3810 of the Code of Virginia, 1887, relating to the protection of religious meetings and meetings for the promotion of the cause of temperance.
- ✓ No. 426, House bill to permit Dr. Z. B. Moorman to practice dentistry in Virginia.
- ✓ No. 491, House bill entitled an act to allow the treasurer of Stafford county additional time to levy for and collect tax tickets held by said treasurer and not returned delinquent.
- ✓ No. 472, House bill to allow M. Thornton, deputy treasurer of Gloucester county, further time in which to collect unpaid tax tickets now in his hands.
- ✓ No. 447, House bill entitled an act to allow Harvey Terry and Lucius C. Burke, deputies of Robert S. Ryland, late treasurer of King William county, one year longer from the passage of this bill to collect tax tickets in their hands for the years 1891, 1892, 1893, and 1894.
- ✓ No. 446, House bill to allow Joel Shelly, late deputy treasurer of Scott county, further time of one year to distrain and levy for taxes for the year 1892.
- ✓ No. 443, House bill to give James M. Booth, treasurer of Northumberland county, power of levy and distress to collect certain uncollected tax tickets in his hands.
- ✓ No. 442, House bill to allow W. Hutchison, treasurer of Prince William county, to collect by levy certain tax bills not returned delinquent.
- ✓ No. 513, House bill to authorize the trustees to sell the Williams or Stoneberger Church property in Page county, Virginia, and invest proceeds.
- ✓ No. 566, House bill entitled an act to incorporate the trustees of Kecoughtan Lodge, No. 29, Knights of Pythias, of Hampton, Virginia.
- ✓ No. 540, House bill entitled an act to provide for the better pres-

ervation of order at race-courses, fair-grounds, base-ball and foot-ball parks, and other places where athletic sports are held.

- ✓ No. 559, House bill entitled an act to authorize the personal representative of M. T. Gooch, late treasurer of Louisa county, to collect by distress unpaid tax tickets held by the said M. T. Gooch at the date of his death in 1894, and which have been accounted for to the State and county and not returned delinquent and insolvent.
- ✓ No. 560, House bill entitled an act to prohibit the running at large of sheep in a certain district in Prince William county.
- ✓ No. 581, House bill entitled an act to locate the court house, clerk's office and jail of the county of Warwick.
- ✓ No. 435, House bill to fix the salary of the judge of the counties of Elizabeth City and Warwick as judge of the county court of the said county of Warwick, and to provide for the payment of the same.
- ✓ No. 418, House bill to amend and re-enact sections 2, 4 and 10 of the charter of the town of Shenandoah, Page county, Virginia, approved February 12, 1884, as amended by acts February 6, 1890, and to add thereto sections 13, 14, 15, 16 and 17.
- ✓ No. 416, House bill entitled an act to provide for working and keeping in repair the public roads of Lee county.
- ✓ No. 312, House bill for compensation of William S. Jones and William T. Dougherty, for services beyond the time allotted by law in assessing the lands of Elizabeth City county.
- ✓ No. 182, House bill to amend and re-enact section 1065, chapter 45, of the Code of Virginia, in relation to the duties of fire marshals in cities and towns.
- ✓ No. 431, House bill entitled an act to amend and re-enact section 2107 of the Code of Virginia, 1887, in relation to the inspection of dams and rivers by supervisors and councilmen.
- ✓ No. 558, House bill entitled an act to amend and re-enact an act entitled an act to provide for working and keeping in repair the public roads of Nelson county, approved March 7, 1894.
- ✓ No. 583, House bill entitled an act to provide for the auditing and payment of claims in connection with free public schools in School District No. 1, in the county of Warwick and the city of Newport News.
- ✓ No. 604, House bill to authorize the board of supervisors of Giles county to issue bonds for the purpose of building a bridge or bridges in said county.
- ✓ No. 603, House bill to compensate school trustees, other than clerks, in King George and Stafford counties.
- ✓ No. 462, House bill to amend and re-enact section 46 of the Code in relation to the election of a constable.
- ✓ No. 483, House bill entitled an act authorizing M. A. Finch to erect a wharf opposite her land in Newport News, Va., on the north side of James river.

- ✓ No. 599, House bill to allow A. S. Matthews to erect a wharf on Pocomoke Sound, in Accomac county.
- ✓ No. 579, House bill entitled an act to repeal chapter 8 of the Acts of the General Assembly of Virginia, approved December 16, 1893, entitled an act to authorize the board of supervisors of Warwick county to increase the salary of the clerk of the county court of said county.
- ✓ No. 598, House bill to allow William T. Lewis to erect a wharf on Chincoteague Bay, in Accomac county.
- ✓ No. 597, House bill to allow Charles T. Jester to erect a wharf on Chincoteague Bay, in Accomac county.
- ✓ No. 596, House bill to allow George W. Glenn to erect a pier in Pocomoke Sound, in Accomac county.
- ✓ No. 580, House bill entitled an act to provide for the adjustment and division of liabilities, property, and assets between the county of Warwick and the city of Newport News, Va., and to provide for the occupation of certain property.
- ✓ No. 578, House bill entitled an act to repeal chapter 364 of the Acts of the General Assembly of Virginia, approved February 25, 1892, entitled an act to authorize the board of supervisors of Warwick county to increase the salary of the Commonwealth's attorney of Warwick county.
- ✓ No. 411, House bill to allow G. W. Koontz, treasurer of Shenandoah county, and his deputies, further time for collecting uncollected taxes in Shenandoah county.
- ✓ No. 377, House bill allowing G. R. Nichols, deputy treasurer of the county of Campbell, further time for the collection of taxes for the years 1891, 1892, and 1893.
- ✓ No. 468, House bill to incorporate the Southern Improvement and Terminal Company.
- ✓ No. 494, House bill to incorporate the McCullough Terminal Railway, Wharf and Warehouse Company.
- ✓ No. 484, House bill to amend the 3d, 15th, 16th and 19th sections, and to repeal and re-enact sections 14 and 17 of an act passed March 2, 1892, entitled an act to provide for opening and keeping in repair the public roads of Pulaski county.
- ✓ No. 460, House bill to amend an act approved March 25, 1872, etc., declaring certain streams in Charlotte county to be highways.
- ✓ No. 499, House bill to authorize the board of supervisors of Bath county, in their discretion, to levy a tax not exceeding 20 cents, on the taxable value of said county, for county school purposes.
- ✓ No. 439, House bill entitled an act for the protection of fish in Smyth and Washington counties.
- ✓ No. 437, House bill entitled an act to amend and re-enact sections 5 and 17 of chapter 357, Acts 1887-88, as to the bonds of the district road commissioners, &c., in the county of Rockingham.
- ✓ No. 574, House bill entitled an act to amend the charter of the

State Building and Loan Company, granted by the circuit court of the city of Richmond, on the 7th day of June, 1894.

- ✓ No. 545, House bill entitled an act to authorize the county school board of Bath county to compensate school trustees.
- ✓ No. 544, House bill entitled an act to regulate the granting of licenses to sell wines and ardent spirits, malt liquors, or any mixture thereof, in the town of Blackstone, Nottoway county, Virginia, or in two miles thereof.
- ✓ No. 537, House bill entitled an act to amend and re-enact section 1 of an act of the General Assembly of Virginia, approved January 9, 1896, entitled an act ratifying and confirming a resolution of the council of the city of Portsmouth adopted in relation to the terms of its members.
- ✓ No. 531, House bill entitled an act to restrict the sale of spirituous liquors within two miles of Brodnax Depot, on the Atlantic and Danville railroad, in Brunswick county, Virginia.
- ✓ No. 504, House bill entitled an act to amend and re-enact section 2048 of the Code of Virginia, in relation to how boundary lines of lots and tracts of land made a lawful fence, and excluding the county of Alleghany from the operation thereof.
- ✓ No. 423, House bill to amend and re-enact section 2065, Code of Virginia, in regard to estrays.
- ✓ No. 419, House bill to amend and re-enact section 2295 of the Code, in relation to the liability of the corpus of the equitable separate estate of married women for their contracts.
- ✓ No. 449, House bill to incorporate the trustees of Warwick Lodge, Knights of Pythias, No. 72.
- ✓ No. 321, House bill to amend and re-enact section 8 of an act approved March 5, 1894, entitled an act to incorporate the Virginia Transit Company, and to authorize it to engage in mining, manufacturing and storage.
- ✓ No. 320, House bill to amend and re-enact section 3 of an act approved March 5, 1894, entitled an act to incorporate the Chesterfield Transit Company.
- ✓ No. 577, House bill entitled an act to repeal chapter 73 of Acts of General Assembly of Virginia, approved January 23, 1894, concerning the salary of the board of supervisors of Warwick county.
- ✓ No. 457, House bill entitled an act to amend and re-enact section 3056 of the Code of Virginia, 1887, providing for the establishment of circuit courts, and also to amend and re-enact sub-division 8, section 3057 of said Code, constituting the eighth judicial circuit.
- ✓ No. 412, House bill for the relief of John Hargrove, George W. Gates, John W. Bain, and W. T. Fisher, deputies of the late Colonel William M. Field, treasurer of Dinwiddie county.
- ✓ No. 536, House bill entitled an act to authorize the Port Norfolk Electric Railway Company to extend its tracks.
- ✓ No. 365, House bill for the relief of Dr. B. F. Rowles.

- ✓ No. 441, House bill entitled an act to incorporate the Wakefield Cemetery.
Reported with a substitute,
- ✓ No. 332, House bill to repeal section 9 of chapter 3 of an act of the General Assembly of Virginia approved March 3, 1894, entitled an act to provide a new charter of the town of Clintwood, in Dickenson county, was taken up, read the third time, committee's substitute agreed to, and passed, title amended so as to read as follows :
✓ To repeat sub-division 9 of section 19 of chapter 3 of an act of the General Assembly of Virginia, approved March 3, 1894, entitled an act to provide a new charter of the town of Clintwood, in Dickenson county.
- ✓ No. 255, House bill to allow J. Winton Repass and his deputies further time to collect tax tickets now in their hands, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ On motion of Mr. MUSHBACH, the vote by which it was passed was reconsidered; and, on his further motion, indefinitely postponed.
- ✓ No. 292, House bill to amend the charter of the Citizens Bank of Norfolk, Virginia, was taken up, read the third time, committee's amendments agreed to, and passed and title amended.
- ✓ No. 475, House bill to amend and re-enact an act approved January 28, 1890, entitled an act to amend and re-enact chapter 238 of Acts of 1883-'84, in relation to the times for holding the circuit courts in the fourth judicial circuit, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 459, House bill to amend and re-enact section 4, 5 and 8 of an act approved February 1, 1894, entitled an act to provide for working the roads in Northampton county, approved March 2, 1892, as amended by an act approved February 23, 1894, was taken up, read the third time, and, on motion of Mr. LECATO, amended, and passed with its title.
- ✓ No. 359, House bill to amend and re-enact section 15 of an act entitled an act to incorporate the town of Crewe, in the county of Nottoway, approved March 3, 1894, was taken up, read the third time, committee's amendments agreed to, and passed, title amended.
- ✓ No. 395, House bill to fix the penalty of the bond of the treasurer of Rockbridge county, require every sixty days statement of collections and payment into the treasury of the State's revenue, and to empower the county board of supervisors to demand new or additional bond, was taken up, read the third time, committee's substitute adopted, and passed with its title.
- ✓ No. 48, House bill to amend and re-enact a special revenue bill, approved February 22, 1890, was taken up.
On motion of Mr. PARR, the vote by which the bill was rejected this morning was reconsidered by the following vote—ayes, 20; noes, 12.

AYES—Messrs. Buchanan, Echols, Fairfax, Green, Hale, G. W. Jackson, Jones, Keezell, Little, Lovenstein, Mason, McCune, McIlwaine, Mushbach, Parr, Sands, Tredway, Wickham, Williams and Withers—20.

NOES—Messrs. Barnes, Boykin, Flanagan, Hay, E. H. Jackson, Jordan, Lowry, Maynard, Morris, St. Clair, Stubbs, and Turnbull—12.

✓ On his further motion, the bill was then amended and passed with its title by the following vote—ayes, 19; noes, 11.

AYES—Messrs. Buchanan, Echols, Fairfax, Green, Hale, G. W. Jackson, Jones, Jordan, Keezell, Little, Lovenstein, McCune, McIlwaine, Mushbach, Parr, Tredway, Wickham, Williams, and Withers—19.

NOES—Messrs. Barnes, Boykin, Clement, Flanagan, Hay, E. H. Jackson, Mason, Morris, St. Clair, Stubbs, and Turnbull—11.

✓ No. 335, House bill to provide a new charter for the city of Roanoke, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

✓ No. 520, House bill entitled an act to fix the penalty of the bond of the treasurer of Nansemond county, require every sixty days statement of collections and payment into the treasury of the State's revenue, and to empower the county board of supervisors to demand new or additional bond, was taken up, read the third time, and indefinitely postponed.

✓ No. 219, Joint resolution to appoint R. E. Wynn agent of the State of Virginia to collect and settle claims due from the United States to Virginia, was taken up, read the third time, on motion of Mr. MORRIS, recommitted to the committee on finance and banks.

✓ No. 456, House bill entitled an act to establish a circuit court for the city of Newport News, was taken up, read the third time, and passed with its title by the following vote—ayes, 35; noes, none.

AYES—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, Morris, Parr, Sands, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Withers—35.

NOES—None.

✓ No. 593, House bill in relation to commitment of minors to Prison Association of Virginia and their custody, was taken up, read the third time, and passed with its title by the following vote—ayes, 34; noes, none.

✓ **AYES**—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lowry, Mason, Maynard, McCune, Parr, Sands, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—34.

NOES—None.

- ✓ No 224, House bill for the relief of the Botetourt Agricultural and Mechanical Association, was taken up, read the third time, and passed with its title by the following vote—ayes, 37; noes, none.

AYES—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Sands, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—37.

NOES—None.

- ✓ No. 305, House bill to incorporate the Newport News and Hampton Electric Railway Company, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 466, House bill to incorporate the Eastern Midland Railway Company, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 386, House bill entitled an act for the protection of sheep, hogs, and turkeys in the county of King William by making the owners of dogs that kill, maim, or worry the same, liable for damages, was taken up, read the third time, and on motion of Mr. BARNES, amended and passed; title amended.
- ✓ No. 417, House bill authorizing the board of supervisors of Alexandria county, Virginia, to make allowance to the county clerk of the said county for additional work and labor, was taken up, read the third time, and rejected.
- ✓ No. 238, House bill to amend and re enact section 5 of an act entitled an act to create a board of excise commissioners for Alexandria county, approved March 2, 1894, was taken up, read the third time, and on motion of Mr. MUSHBACH, indefinitely postponed.
- ✓ No. 404, House bill to amend and re-enact section 2500 of the Code, and to amend and re enact section 2501 of the Code, as amended and re-enacted by an act approved February 10, 1890, entitled an act to amend and re-enact section 2501 of the Code, in relation to certificates of acknowledgment, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 348, House bill to allow the briefs or notes of argument filed in any case in any court to be either in printed or type-written form, was taken up, read the third time, and rejected.
- ✓ No. 575, House bill to incorporate the Alleghany Rod and Gun Club, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 551, House bill to incorporate the Potomac Western Railroad Company, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 550, House bill to incorporate the Falls Church, Fairfax and Manassas Railway Company, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 547, House bill to incorporate the Virginia Electric Railroad

and Mining Company, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

- ✓ No. 373, House bill to release the land of Peter McLaren, in Bath county, from the payment of taxes and levies illegally assessed thereon for the years 1890, 1892, 1893, 1894, and 1895, was taken up, read the third time, and passed with its title by the following vote—ayes, 30; noes, none.

AYES—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lowry, Lovenstein, Morris, Mushbach, Parr, Sands, Stubbs, Tredway, Turnbull, Wickham, and Withers—30.

NOES—None.

- ✓ No. 425, House bill entitled an act to amend and re-enact the special road law of Fauquier county, adopted at session of General Assembly, 1875-'76, and amended by acts of 1876-'77, 1878-'79, 1883-'84, and 1884, was taken up, read the third time, and passed with title amended.

- ✓ No. 532, House bill to authorize the board of supervisors of Brunswick county to levy a tax on dogs, was taken up, read the third time, and indefinitely postponed.

Mr. HALE moved to adjourn, which was rejected by the following vote—ayes, 11; noes, 24.

AYES—Messrs. Echols, Hale, G. W. Jackson, Jones, Keezell, Little, Lovenstein, Maynard, McCune, Tredway, and Turnbull—11.

NOES—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Fairfax, Flanagan, Flood, Green, Hay, E. H. Jackson, Jordan, Kane, LeCato, Lowry, Mason, Morris, Mushbach, Parr, Southall, St. Clair, Stubbs, Wickham, and Williams—24.

The following Senate bills were taken up, read the second time, ordered to be engrossed and read a third time:

- ✓ No. 567, Senate bill to prevent deception and manufacture and sale of imitation butter.
- ✓ No. 566, Senate bill to amend and re-enact section 661 of the Code of Virginia, in reference to delinquent lands, and to add an independent section thereto.
- ✓ No. 538, Senate bill for the relief of the sureties of John M. Dawson, late treasurer of James City county and the city of Williamsburg, and also granting to said John M. Dawson an extension of time within which to distrain for, levy, and collect tax bills now in his hands.
- ✓ No. 592, Senate bill to amend and re-enact section 556 of the Code, prescribing when commissioners to return lists of licenses to auditor and what list to contain.
- ✓ No. 582, Senate bill to incorporate the Border Mutual Benefit Association.
- ✓ No. 615, Senate bill providing for the working, opening and

keeping in repair the roads in the county of Brunswick, and for the building and keeping in repair the bridges in said county.

✓ No. 583, Senate bill to amend and re-enact section 366 of the Code of Virginia in relation to term of enlistment.

✓ No. 609, Senate bill to amend and re-enact sections 2, 3, 4, and 5, of an act approved May 6, 1887, entitled "an act to incorporate the Portsmouth Street Railway Company," and to authorize the increase of its capital stock.

✓ No. 253, Senate bill requiring statement of their financial condition from mutual benefit associations or companies to the auditor of public accounts, was taken up, read the second time, and on motion of Mr. ST. CLAIR, indefinitely postponed.

✓ No. 537, Senate bill to amend and re-enact section 46 of an act entitled an act to change the name of the town of Goodson to the city of Bristol, and to provide a new charter for same, approved February 29, 1892, was taken up, read the second time, and on motion of Mr. BUCHANAN, indefinitely postponed.

✓ No. 44, Senate bill to amend and re-enact an act entitled an act to amend section 2048 of the Code of Virginia, as amended by an act approved January 16, 1890, in relation to what constitutes a lawful fence, approved March 4, 1890, was taken up, twice read, and on motion of Mr. BROWN, indefinitely postponed.

✓ No. 224, Senate bill to repeal the charter of the Old Dominion Fire Association of Alexandria, Va., which was granted by the judge of the circuit court of the city of Alexandria on the 6th day of November, 1855, under section 1145 of the Code of Virginia, and acts amendatory thereof, was taken up, twice read, ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. MUSHBACH (two-thirds concurring), was read a third time, and passed with its title.

✓ No. 433, Senate bill to amend and re-enact section 96 of chapter 9 of the Code of Virginia, in relation to the election of district officers, was taken up, read the second time, committee's substitute adopted, ordered to be engrossed, and read a third time.

✓ No. 115, Senate bill to require corporations to furnish for record in the clerk's office of the county court of Wythe county the names of their officers and directors, and prescribing the penalty for failure to do so, was taken up, twice read, committee's amendments agreed to, ordered to be engrossed, and read a third time.

✓ No. 470, Senate bill to fix the price at which the Code of 1887 shall be sold, was taken up, read a second time, committee's amendments agreed to, ordered to be engrossed, and read a third time.

✓ No. 362, Senate bill for the relief of C. D. Diggs, late deputy treasurer of the county of Cumberland, was taken up, twice read, and ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. FLOOD, read the third time, and passed with its title.

Mr. TURNBULL moved to adjourn, which was objected to by the following vote—ayes, 13; Noes, 21:

AYES.—Messrs. Echols, Hale, [G. W. Jackson, Jones, Keezell, Little, Lovenstein, McCune, Parr, St. Clair, Tredway, Turnbull, and Williams—13.

NOES.—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Fairfax, Flanagan, Flood, Green, Hay, E. H. Jackson, Jordan, Kane, LeCato, Lowry, Maynard, Morris, Sands, Stubbs, Wickham, and Withers—21.

- ✓ No. 558, Senate bill to incorporate the Waynesboro and Basic City Railway Company, and to authorize and empower the said company to acquire and operate the street railway and franchises constructed and operated by J. W. Marshall and his associates, under grants from the municipal authorities of the towns of Waynesboro and Basic City, in the county of Augusta; was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. MORRIS, read the third time, and passed with its title.
- ✓ No. 527, Senate bill to amend and re-enact sections 4080 and 4083, and to repeal section 4082 of the Code of Virginia, in relation to taxation and allowance of cost in criminal cases, was taken up, read the second time, and rejected.
- ✓ No. 440, Senate bill to incorporate the Citizens Deposit Bank, was taken up, twice read, committee's amendments agreed to, ordered to be engrossed, and read a third time.
- ✓ No. 597, Senate bill to incorporate the Manchester Light and Fuel Company, was taken up, read the second time, and on motion of Mr. LITTLE, the bill was amended, ordered to be engrossed, and read a third time.
- ✓ No. 596, Senate bill to amend and re-enact section 3792 of the Code of Virginia in relation to fighting cocks, dogs, &c., in Alexandria county, how punished, and to amend the title thereof, was taken up, read the second time, on motion of Mr. WITHERS, was amended, ordered to be engrossed, and read a third time.

On motion of Mr. FAIRFAX, the Senate adjourned till Monday, twelve o'clock.

MONDAY, FEBRUARY 24, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Moses D. Hoge, D. D.

Journal of Friday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In House of Delegates, February 21, 1896.

The House of Delegates has passed Senate bills entitled an act to

✓ amend and re-enact an act entitled an act to incorporate the Alexandria and Fairfax Passenger Railway Company, approved February 18, 1890, and to amend and re-enact an act entitled an act to amend and re-enact the first sub section of an act approved February 18, 1890, entitled an act to incorporate the Alexandria and Fairfax Passenger Railway Company, approved February 25, 1892, No. 363; an act to authorize the Big Stone Gap Iron Company to build railroads to its mines, No. 384; an act to amend and re-enact section 9 of an act approved December 17, 1891, entitled an act to incorporate the Marion and Rye Valley Railroad Company, No. 510; an act to incorporate the Portsmouth, Pig's Point and Newport News Railway, Ferry and Hotel Company, No. 534; an act to amend section 1 of an act incorporating the Female Charity School of Fredericksburg, No. 553; an act to allow the joint library committee and the general librarian of the Commonwealth to permit the transfer of duplicate volumes in the State library to the library of the University of Virginia, No. 456; an act to amend and re-enact an act approved February 28, 1894, entitled an act to amend and re-enact section 10 of an act entitled an act to incorporate the Chesapeake and West Virginia Railroad Company, approved February 16, 1892, No. 513; and an act to incorporate the Virginia and ✓ Northwestern Railroad Company, No. 514.

✓ They have agreed to Senate joint resolution electing and appointing the electoral board for the city of Newport News.

They have passed with an amendment, in the nature of a substitute, Senate bill entitled an act to amend and re enact section 1 of an act entitled an act to authorize the county of Madison to subscribe to the stock of the Madison and Orange Railroad Company on certain conditions, approved February 24, 1894, No. 546.

In which substitute they request the concurrence of the Senate.

✓ No. 546, Senate bill to amend and re-enact section 1 of an act entitled an act to authorize the county of Madison to subscribe to the stock of the Madison and Orange Railroad Company on certain conditions, approved February 24, 1894, was taken up, and on motion of Mr. HAY, the amendment or substitute proposed by the House of Delegates was agreed to.

Mr. WICKHAM, from the committee on finance and banks, reported with an amendment,

✓ No. 23, Senate bill for the relief of Mrs. Elizabeth Covington, widow of a Confederate soldier.

He, from the same committee, reported with an amendment,

✓ No. 66, Senate bill for the relief of William Gunter, disabled Confederate soldier, of Patrick county.

He, from the same committee, reported with an amendment,

✓ No. 79, Senate bill to allow a pension to Susan A. Reckman, of Halifax county.

He, from the same committee, reported with an amendment,

✓ No. 148, Senate bill to allow a pension to Sarah Right, of Patrick county.

He, from the same committee, reported with an amendment,

✓ No. 171, Senate bill for the relief of George W. Bledsoe, of Madison county, Va.

He, from the same committee, reported without amendment,

✓ No. 323, Senate bill for the relief of J. E. Allbrook, a wounded Confederate soldier, of Prince Edward county, Va.

He, from the same committee, reported with an amendment,

✓ No. 393, Senate bill for the relief of Mrs. E. S. Howard, widow of a Confederate soldier.

He, from the same committee, reported with an amendment,

✓ No. 441, Senate bill directing the auditor of public accounts to place the name of Andrew Austin on the pension list.

He, from the same committee, reported with amendment,

✓ No. 504, Senate bill for the relief of Samuel P. Mosely, a disabled Confederate soldier.

He, from the same committee, reported without amendment,

✓ No. 485, Senate bill for the relief of Dulaney Malone, a Confederate veteran, of Washington county.

He, from the same committee, reported with the recommendation that it be referred to the committee on agriculture, mining, and manufacturing,

✓ No. 530, Senate bill to eradicate the San Jose or pernicious scale, a disease affecting fruit trees, and to prevent its spread.

And it was so ordered.

He, from the same committee, reported with an amendment,

✓ No. 559, Senate bill to relieve Robert H. Armistead, a disabled Confederate soldier of Cumberland county, Virginia.

He, from the same committee, reported without amendment,

✓ No. 571, Senate bill for the relief of J. H. Wingfield.

He, from the same committee, reported with amendments,

✓ No. 132, House bill to exempt from taxation the property of Green Hill Cemetery Company, near Berryville, Va.

He, from the same committee, reported with amendment,

✓ No. 256, House bill to refund to Gilbert J. Hunt the sum of fourteen dollars and thirty-five cents, erroneously paid by him on church property in the city of Richmond.

✓ And he, from the same committee, reported without amendment,

✓ No. 341, House bill for the relief of W. J. Mills, a disabled Confederate soldier, of Hanover county.

Mr. JONES, from the committee for courts of justice, reported without amendment,

✓ No. 88, House bill to amend and re-enact section 2940 of the Code of Virginia, in relation to warrants for small claims, as amended and re-enacted by chapter 74 of the Acts of Assembly, 1889-'90, and chapter 541 of the Acts of Assembly, 1893-'94.

He, from the same committee, reported with a substitute,

✓ No. 523, House bill entitled an act to amend and re-enact section 2071 of the Code in reference to unlawful hunting, &c., on another's land.

✓ He, from the same committee, reported without amendment,
 ✓ No. 542, House bill entitled an act to amend and re enact section 2498 of the Code of Virginia, in relation to entering on record payment or satisfaction of certain incumbrances and liens, approved February 27, 1894.

✓ He, from the same committee, reported without amendment,
 ✓ No. 543, House bill entitled an act to amend and re enact section 2476 of the Code of Virginia of 1887 as amended by an act entitled an act to amend sections 2475 and 2476 of the Code of Virginia, with reference to liens for work done and materials furnished by artisans, mechanics, lumber dealers, and others, approved January 16, 1896.

✓ He, from the same committee, reported without amendment,
 ✓ No. 573, House bill entitled an act to amend and re-enact section 3693, Code of Virginia, as to prize fighters, how punished, and to prohibit prize fighting and pugilism and fights between men and animals.

He, from the same committee, reported recommending that the veto of the governor be sustained,

✓ No. 33, Senate bill to incorporate the Fredericksburg Telephone Company, was taken up, and the veto of the governor sustained by the following vote—ayes, none; noes, 28.

AYES—None.

NOES—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Green, Hale, Hay, Jones, Jordan, Kezell, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, St. Clair, Stubbs, Tredway, Williams, and Withers—28.

He, from the same committee, reported with the recommendation that it do not pass,

✓ No. 394, Senate bill to amend and re-enact section 834 Code of Virginia, as amended and re-enacted by an act passed March 5, 1888, as amended and re enacted by an act passed 25th February, 1892, as amended and re-enacted by an act passed March 5, 1894, as to the pay of commonwealth's attorneys, sheriffs and clerks.

He, from the same committee, reported recommending that the bill do pass notwithstanding the objections of the Executive,

✓ No. 455, Senate bill to amend section 2 of a charter granted to the John G. Hurkamp Company on the 7th day of August, 1895, by the judge of the circuit court of Fredericksburg in vacation, and to confirm and approve and ratify such charter as amended, and all its provisions, was taken up, and the recommendation of the committee agreed to, and passed by the following vote—ayes, 27; noes, 3.

AYES—Messrs. Barnes, Brown, Buchanan, Clement, Echols, Flood, Hale, Hay, Jones, Jordan, Keezell, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Southall, St. Clair, Stubbs, Tredway, and Wickham—27.

NOES—Messrs. Boykin, Green, and Williams—3.

On motion of Mr. LITTLE he was ordered to inform the House of Delegates thereof.

He, from the same committee, reported recommending that the bill do pass, notwithstanding the objections of the Executive,

- ✓ No. 493, Senate bill to amend and re-enact the third section of an act to incorporate the Berkley Street Railway Company, and to authorize it to dispose of so much of its electric power as it may not need for the propulsion of its cars, was taken up, and the recommendation of the committee agreed to, and the bill passed by the following vote—ayes, 29; noes, none.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hale, Hay, Jones, Jordan, Keezell, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Southall, St. Clair, Stubbs, Tredway, and Wickham—29.

NOES—None.

On motion of Mr. MAYNARD, he was ordered to inform the House of Delegates thereof.

He, from same committee, reported with amendments,

- ✓ No. 617, Senate bill suspending time of redeeming land sold for delinquent taxes and bought by the auditor in cases where proceedings in equity have been instituted by parties interested in such lands.

And he, from the same committee, reported without amendment,

- ✓ No. 636. Senate bill to amend and re-enact the second clause of section 3214 of the Code of Virginia, in relation to the county or corporation in which actions at or suits in equity may be brought.

Mr. SANDS, from the committee on general laws, reported without amendment,

- ✓ No. 571, House bill entitled an act prescribing how a person riding a bicycle shall pass a vehicle or person on horseback on the public highways and bridges, and providing penalties.

He, from the same committee, reported with amendments,

- ✓ No. 487, House bill to incorporate the Nassawaddox Lumber and Barrel Manufacturing and Building Company, in the county of Northampton.

He, from the same committee, reported with amendments,

- ✓ No. 641, Senate bill to incorporate the Norfolk Lumber Company.

He, from the same committee, reported with amendments,

- ✓ No. 642, Senate bill to incorporate the Holston Oil and Manufacturing Company.

- ✓ He, from the same committee, reported with amendments,
✓ No. 572, House bill to incorporate the Tobacco Warehousing Company.

- And he, from the same committee, reported without amendment,
✓ No. 669, Senate bill to require a uniform rate of charges for telephone service in the State of Virginia.

Mr. McILWAINE, by leave, presented

- ✓ No. 660, Senate bill to authorize the Petersburg Railroad Company to discontinue the maintenance of its station and any portion of its present line of railway within the city of Petersburg upon certain conditions; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

- ✓ The bill was subsequently taken up, read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), read the third time and passed with its title.

Mr. STUBBS, by leave, presented

- ✓ No. 661, Senate bill to appropriate five thousand dollars to have muster rolls of Virginia troops, in Confederate army, copied; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. STUBBS, by leave, presented

- ✓ No. 662, Senate bill to amend and re enact section 185 of the Code of Virginia in reference to salary of circuit judges; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. LECATO, by leave, presented

- ✓ No. 663, Senate bill to amend and re-enact subdivision 3 of section 185 of the Code of Virginia in reference to the salary of the circuit court judges; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. KEEZELL, by leave, presented

- ✓ No. 664, Senate bill to amend and re-enact sections 1 and 2 of an act to incorporate the town of Dayton, Rockingham county, approved March 9, 1880, as amended by an act entitled an act to amend and re-enact an act to incorporate the town of Dayton, approved March 9, 1880, and all acts amendatory thereof, approved February 29, 1892, and to add an independent section empowering the town council of said town to negotiate a loan not to exceed five thousand dollars; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. WICKHAM, by leave, presented

- ✓ No. 665, Senate bill to amend and re-enact section 2939 of the Code of Virginia, as amended and re-enacted by an act approved March 3, 1892, in relation to warrants for small claims; when and

✓ how cases removed to the county court, and how tried; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MASON, by leave, presented

✓ No. 666, Senate bill to amend and re-enact sections 3 and 15 of an act entitled an act to incorporate the town of Colonial Beach, in the county of Westmoreland, approved February 2, 1892; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

✓ Mr. MASON, by leave, presented

✓ No. 667, Senate bill for the relief of E. L. Wharton, of Westmoreland county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

✓ Mr. SANDS, by leave, presented

✓ No. 668, Senate bill to amend and re-enact section 8 of an act entitled an act incorporating the town of Barton Heights, in Henrico county, approved January 30, 1896; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. FLOOD, by leave, presented

✓ No. 669, Senate bill to require a uniform rate of charges for telephone service in the State of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. FLOOD, by leave, presented

✓ No. 670, Senate bill to amend and re-enact section 1 of an act entitled an act to authorize certain persons, when arrested or convicted, to be committed to the custody of the Prison Association of Virginia, approved March 4, 1890; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. FLOOD, by leave, presented

✓ No. 671, Senate bill to amend and re enact an act entitled an act fixing the time for holding courts in the third judicial circuit, approved February 25, 1890; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. ECHOLS, by leave, presented

✓ No. 672, Senate bill for the relief of R. W. Reed, a Confederate veteran, of Augusta county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. ECHOLS, by leave, presented

✓ No. 673, Senate bill for the relief of James A. Harvey, a maimed Confederate soldier; which, on his motion, was read the first, or-

dered to be read a second time, and referred to the committee on finance and banks.

Mr. ECHOLS, by leave, presented

- ✓ No. 674, Senate bill for the relief of John A. Buchanan, a Confederate veteran, of Augusta county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. SOUTHALL, by leave, presented

- ✓ No. 675, Senate bill providing for the working, opening and keeping in repair the roads in the county of Cumberland, and for the building and keeping in repair the bridges in said county; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar

Mr. LOVENSTEIN, by leave, presented

- ✓ No. 676, Senate bill to amend section 7 of an act entitled an act incorporating the Masonic Home of Virginia, approved January 7, 1890; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. FLOOD, by leave, presented

- ✓ No. 677, Senate bill for working and keeping in repair and building the roads and bridges of Buckingham county; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. SOUTHALL, by leave, presented

- ✓ No. 678, Senate bill to incorporate the Southside Finance Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. CLAYTOR, by leave, presented

- ✓ No. 679, Senate bill to repeal chapter 81 of the Code of Virginia, and an act entitled an act to provide for a State board of agriculture of Virginia, and making appropriations therefor, approved March 5, 1888; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on agriculture, mining, and manufacturing.

Mr. CLAYTOR, by leave, presented

- ✓ No. 680, Senate bill to promote the agricultural, manufacturing and mineral interests of Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on agriculture, mining, and manufacturing.

Mr. BUCHANAN, by leave, presented

- ✓ No. 681, Senate bill to amend and re enact section 18, chapter 3, of an act entitled an act to change the name of the town of Goodson to the city of Bristol, and provide a new charter for the same, approved February 12, 1890; which, on his motion, was read the

first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. KEEZEL, by leave, presented the following:

- ✓ Petition of the town council of the town of Harrisonburg, asking that no toll-gate be allowed within two and a half miles of the corporation limits, said gates being to the detriment of the business of said town; which, on his motion, was referred to the committee on county, city, and town organizations.

- ✓ Mr. STUBBS, by leave, presented the following:

Resolution of the history committee of the Grand Camp of Confederate Veterans, asking for an appropriation, &c.; which, on his motion, was referred to the committee on finance and banks.

- ✓ Mr. STUBBS, by leave, presented the following:

Joint resolution to appoint a committee to examine and report on the oyster laws and fish laws in the tidal waters of Virginia; which, on his motion, was referred to the committee on fish and game, and ordered to be printed.

Mr. GREEN, by leave, presented the following preamble and resolution:

- ✓ Whereas, A. J. Grayson has tendered his resignation as a member of the electoral board of the county of Bland, leaving a vacancy on said electoral board; therefore, be it

Resolved by the Senate (the House of Delegates concurring),

- ✓ That Otto Nedermaier is hereby elected to fill the said vacancy on said electoral board of the said county of Bland; on his motion (the rules being suspended therefor), was agreed to; and on his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ A message was received from the House of Delegates by Mr. POWELL, who informed the Senate that that house had passed the following joint resolution:

Resolved by the House of Delegates (the Senate concurring),

- ✓ That whereas by reason of the residence of J. R. Bagby and E. W. Johnson, members of the electoral board of the county of Warwick, in the city of Newport News, Va., two vacancies have occurred in the said electoral board, J. H. Ham and W. C. Minor are hereby elected and appointed to fill the two vacancies in the electoral board of the county of Warwick.

- ✓ On motion of Mr. LITTLE, the joint resolution was agreed to.

- ✓ Mr. BOYKIN subsequently moved to reconsider the vote by which the joint resolution was agreed to, and it was so ordered; and on his further motion, it was passed by.

- ✓ No. 624, Senate bill to authorize the Winchester and Potomac Railroad Company to borrow money and give a lien on its property to secure it, and to fix the recording tax and to confirm its existing lease to the Baltimore and Ohio Railroad Company, was taken up, on motion of Mr. HAY (the rules being suspended therefor), read the second time, and ordered to be engrossed and read a third time.

✓ No. 628, Senate bill to authorize and empower the board of supervisors of Campbell county to issue bonds for the purpose of refunding the debt incurred by said county in subscribing to the stock of the Lynchburg, Halifax and North Carolina Railroad, under act of February 12, 1886, was taken up, on motion of Mr. CLEMENTS (the rules being suspended therefor), was read the second time and ordered to be engrossed and read a third time; and being forthwith engrossed, was, on his further motion (two-thirds concurring) read the third time and passed with its title.

Mr. HAY, by leave, presented the following:

Resolved, That when the Senate adjourns to-day, it be to meet on to-morrow at 11 o'clock A. M., and that the Senate shall meet at that hour on each day until final adjournment; which was agreed to by the following vote—ayes, 18; noes, 11.

AYES—Messrs. Buchanan, Claytor, Clement, Hale, Hay, Jones, Jordan, Keezell, Lowry, Mason, McCune, Morris, Mushbach, Parr, Southall, Stubbs, Wickham, and Withers—18.

NOES—Messrs. Boykin, Brown, Echols, Flood, Green, Little, Lovenstein, Maynard, McIlwaine, Sands, and Tredway—11.

On motion of Mr. WICKHAM, the vote by which the resolution was agreed to was reconsidered, and the resolution rejected by the following vote—ayes, 15; noes, 14.

AYES—Messrs. Barnes, Boykin, Brown, Echols, Green, Jones, Jordan, Keezell, Little, Lovenstein, Maynard, McIlwaine, Sands, Tredway, and Wickham—15.

NOES—Messrs. Buchanan, Claytor, Clement, Flood, Hale, Hay, McCune, Morris, Mushbach, Parr, Southall, St. Clair, Williams, and Withers—14.

Mr. LITTLE moved to pass by; which was agreed to.

Mr. STUBBS, by leave, presented the following resolution:

✓ Whereas the attention of this Camp has been called to the fact that many deserving soldiers of Virginia, maimed or disabled in the war between the States, have been unable to procure aid from the State of Virginia by reason of the stringency of the law with reference to the proof of total or partial disability,

Resolved by the Wright-Latané Camp of Confederate Veterans, That we respectfully urge upon our representatives, Hon. J. N. Stubbs and Hon. J. R. Segar, and, through these, then upon the other members of the General Assembly of Virginia, immediately to so amend sections 4 and 5 of an act to give aid to soldiers, sailors and marines of Virginia, maimed or disabled in the war between the States, and to the widows of Virginia soldiers, sailors and marines, who lost their lives in said war in the military service, approved March 5th, 1888, be it so amended as to allow proof before the court of any such disability, and that such proportionate amount may be allowed said applicant as the degree of his disa-

bility will justify; which, on his motion, was referred to the committee on finance and banks.

✓ No. 634, Senate bill appropriating the public revenue for the two fiscal years ending respectively the 30th day of September, 1896, and the 30th day of September, 1897, was taken up, and on motion of Mr. WICKHAM, for the committee, the bill was amended, which was agreed to.

Mr. TREDWAY proposed the following amendment: In lines 250 and 251, page 12, strike out "Medical College of Virginia at Richmond five thousand dollars," which was rejected by the following vote—ayes, 11; noes, 22.

AYES—Messrs. Brown, Claytor, Hale, Hay, Jones, Keezell, LeCato, Mushbach, Parr, Williams, and Withers—11.

NOES—Messrs. Barnes, Boykin, Buchanan, Clement, Echols, Flanagan, Flood, Green, Jordan, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Sands, Southall, St. Clair, Stubbs, and Wickham—22.

Mr. TREDWAY stated he was paired with Mr. FAIRFAX, who, if he were present, would vote "No," and he would vote "Aye."

Mr. TREDWAY then proposed the following amendment: In lines 250 and 251, strike out "\$5,000," and insert "1,500," which was rejected by the following vote—ayes, 11; noes, 22.

AYES—Messrs. Brown, Claytor, Hale, Hay, Jones, Keezell, LeCato, Mushbach, Parr, Williams and Withers—41.

NOES—Messrs. Barnes, Boykin, Buchanan, Clement, Echols, Flanagan, Flood, Green, Jordan, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Sands, Southall, St. Clair, Stubbs, and Wickham—22.

Mr. TREDWAY again stated he was paired with Mr. FAIRFAX, who, if he was present, would vote "No," and he would vote "Aye."

Mr. HAY moved to adjourn, which was rejected by the following vote—ayes, 16; noes, 16. The PRESIDENT cast the deciding vote in the negative.

AYES—Messrs. Brown, Claytor, Clement, Echols, Flanagan, Hale, Hay, Jones, Keezell, LeCato, Little, Parr, Southall, St. Clair, Tredway, and Williams—16.

NOES—Messrs. Barnes, Buchanan, Green, Jordan, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach Sands, Stubbs, Wickham and Withers—16.

Mr. BARNES moved to amend the bill, and whilst under consideration,

On motion of Mr. HAY, the Senate adjourned until to-morrow, twelve o'clock.

TUESDAY, FEBRUARY 25, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Moses D. Hoge, D. D.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In the House of Delegates, February 24, 1896.

✓ The House of Delegates has passed Senate bills entitled an act to amend and re-enact sections 2726 and 2728 of the Code of Virginia in relation to the action of ejectment, No. 158; an act to amend and re-enact an act approved February 27, 1894, in relation to the power of the courts to order a suit in equity or action at law to abate as to any improperly joined plaintiff or defendant, and to proceed thereafter by or against the others as if such misjoinders had not been made, &c., No. 392; an act to amend and re-enact section 50 of chapter 5 of the Acts of the General Assembly 1885-86, entitled
✓ an act to provide a new charter for the town of Wytheville, approved February 26, 1886, No. 482; an act to amend and re-enact section 11 of an act entitled an act to provide a charter for the city of Winchester, approved April 2, 1874, No. 561; an act to amend and re-enact section 37 of an act entitled an act to amend the charter of the city of Alexandria, approved February 20, 1871, as amended by an act approved March 22, 1871, and by an act approved the 17th day of March, 1876, and by an act approved March 20, 1877, and by an act approved January 25, 1879, and by an act approved March 1, 1888, and by an act approved February 25, 1892, and by an act approved March 8, 1894, No. 575; and an act for the relief of persons
✓ and property in the town of South Boston improperly assessed with county levies, No. 648.

✓ They have agreed to the amendments of the Senate to House bills entitled an act to provide for working roads in Rappahannock county, No. 68; an act to prohibit the catching of fish with seines, weirs, and nets in Lake Drummond, No. 162; an act to amend and re-enact section 3225 of the Code of 1887 in relation to the service of process against or notice to a corporation, No. 169; an act to amend and re-enact an act entitled an act regulating the fishing of
✓ purse-nets and pound-nets in the tributaries of the Potomac within the jurisdiction of the counties of Stafford, King George, Westmoreland, and Northumberland, and in the Rappahannock river, approved March 3, 1892, No. 287; and an act to amend and re-enact sections 16 and 21 of an act approved February 12, 1892, entitled an act to amend and re-enact an act passed March 21, 1836, entitled
✓ an act to incorporate the town of Salem, in Botetourt county (now in Roanoke county), and all acts amendatory thereto, No. 429.

✓ They have agreed to joint resolution in reference to the appointment of a committee looking to the care of epileptics.

✓ They have passed House bills entitled an act to amend and re-enact section 1 of an act entitled an act authorizing the board of supervisors of certain counties to levy a tax on dogs, No. 354; an act to provide more effectually for the punishment of vagrants, No. 525; an act to authorize the governor to appoint a board of commissioners for the promotion of the uniformity of legislation in the United States, No. 298½; an act to prohibit the killing or capturing for sale or offering to sell or buying, in the county of Page, any partridges (or quail) for shipment beyond the limits of said county, No. 561; an act to allow W. J. Woods, treasurer of Giles county, and his deputies, further time for collecting uncollected taxes in Giles county, No. 592; an act in relation to bonds to be given by certain county and district officials in the county of Bedford, Va., No. 595; ✓ an act to authorize the Commercial Guarantee Company of Richmond, Va., to deposit securities with the State treasurer, No. 610; an act to amend and re-enact section 2877 of the Code of Virginia in relation to persons transacting business as "agent," "factor," "and company," or "and Co.," who is a trader, how business conducted, &c., and to add the words "manager," and "words of similar import and meaning," No. 611; an act to amend and re-enact section 3570 of the Code of Virginia relating to a judgment not being a lien against purchaser for value without notice unless docketed, No. 612; an act to amend and re-enact section 3716 of the Code of Virginia, 1887, in relation to embezzlement of money, bills, checks, or other property, No. 613; ✓ an act to provide that the Clintwood sub-district, in Dickenson, be, and the same is, hereby made a school district, to be known as the Clintwood School District, and to provide for building a school-house and raising funds for same, No. 614; an act to amend and re-enact section 7 of an act entitled an act for the protection of sheep in the county of Albemarle, approved March 25, 1875, No. 615; an act to amend and re-enact section 16 of an act entitled an act to provide for the working and repairing of public roads and bridges in Albemarle county, approved February 20, 1892, No. 616; an act to protect hares (or rabbits) in Essex county, No. 617; an act to authorize the county court of Wise county to have certain obstructions removed from Guest's river, in Wise county, No. 618; an act to change the name of Jacksonville magisterial district, in Floyd county, to Courthouse district, No. 619; an act to regulate the size of barrels used for shipment of agricultural produce, commonly called truck, No. 621; an act to compensate school trustees, other than clerks of district school boards, in Dickenson, Buchanan, and Wise counties, No. 625; ✓ an act for the protection and preservation of certain fish in the Potomac river, No. 627; an act to authorize and empower the judge of the county court of Powhatan to convey a plot of land forty feet square in the court-green of the aforesaid county to the Powhatan Troop Asso-

✓ ciation, No. 628; an act in relation to the fencing of railway tracks in the county of Augusta, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 629; an act providing for the enlargement of the library-room of the court of appeals, in the State library building, in the city of Richmond, No. 631; an act to authorize the town of Onancock, in the county of Accomac, to borrow money, No. 633; an act to authorize Frank Tunstall Clark, of the city of Norfolk, to change his name, No. 638; an act to make the boundary lines of lots or tracts of land in Capeville magisterial district, in the county of Northampton, a lawful fence, No. 639; an act in relation to the fencing of railway tracks in the county of King William, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 640; an act to incorporate the McDaniel and Farmville Academy, No. 642; an act to authorize the Winchester and Potomac Railroad Company to borrow money, execute a mortgage on its property to secure it, to fix the recording tax, and to confirm the existing lease to the Baltimore and Ohio Railroad Company, No. 645; an act to amend and re-enact section 3 of an act entitled an act to incorporate the Southwestern Railroad Company of Virginia, approved February 27, 1894, No. 646; an act to incorporate the Broadwater Oyster Association for the following purposes: To promote by the application of scientific methods, by experimental research, and by all other appropriate means, the propagation, cultivation, and improvement of the oyster; to plant oysters in Virginia waters on the east or ocean side of Northampton county; to fatten oysters in artificial parks and elsewhere; to shuck and prepare oysters for the market, and to take, buy, sell, and deal in oysters, clams, and other shell fish, No. 647; an act to authorize the board of supervisors of the county of Lancaster to increase the salary of the judge of the county court of said county, No. 648; an act to regulate the sale of cider and other intoxicants in the village of Lovingsston, Nelson county, No. 650; ✓ an act in relation to the fencing of railway tracks in the county of Henry; defining when the corporations are not liable for injuries done, and establishing their liability in certain cases, No. 652; an act providing for the working, opening, and keeping in repair the roads in the county of Lunenburg, and for the building and keeping in repair the bridges in said county, No. 653; an act to amend and re-enact section 2 of an act approved February 22, 1890, entitled an act to extend the boundaries of the city of Norfolk, and to amend and re-enact sections 5, 6 and 12 of said act, as amended by an act approved February 12, 1892, entitled an act to amend and re-enact sections 5, 6 and 12 of an act entitled an act to extend the boundaries of the city of Norfolk, approved February 22, 1890, No. 654; ✓ an act to amend and re-enact section 525 of the Code of Virginia, in relation to the collection of fees of the commissioner of revenue, No. 656; an act to prohibit hogs from running at large

upon the streets or roads on Chincoteague Island, in Accomac county, No. 658; an act authorizing the board of supervisors of Accomac county to levy a tax on real and personal property in Island District for the erection of a lock-up on Chincoteague Island, Accomac county, No. 659; an act to provide for the trial of cases pending in the county court of Warwick county, No. 660; an act in relation to the fencing of railway tracks in the county of Bedford; defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 661; an act to repeal an act entitled an act to authorize the board of supervisors of Dinwiddie county to increase the salary of the county judge, approved February 7, 1894, No. 662; an act to amend and re-enact section 3, chapter 537, of an act approved March 1, 1894 (Acts of Assembly 1893-'94, entitled an act for the working of the county roads of Richmond and Lancaster, No. 663; an act in relation to fencing of railway tracks in the county of Campbell; defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 664; an act in relation to the fencing of railway tracks in the counties of Giles and Pulaski; defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 665; an act to prevent the unlawful killing of water fowl and other game in the counties of Chesterfield, Prince George, Charles City, and Surry, No. 668; an act to amend and re-enact an act approved February 4, 1892, entitled an act to amend and re-enact an act approved December 19, 1891, entitled an act to amend and re-enact chapter 129, extra session, 1887, for the protection of terrapin, No. 669; an act for the relief of J. J. Ellis, No. 670; an act to authorize the board of supervisors of Amherst county to borrow \$1,000, No. 671; an act to amend and re-enact section 3537 of the Code, relative to allowance to deputy sergeants of certain cities, No. 677; an act to repeal an act approved February 1, 1894, entitled an act to regulate the killing, capturing, hunting, &c., of partridges and wild turkeys in the county of Lunenburg, No. 681; an act to incorporate the Virginia Union University, in the city of Richmond, Va., No. 684; an act providing for working public roads in Prince Edward county, No. 686; an act to amend and re-enact section 1 of an act entitled an act to prescribe the time for holding the courts in the eighth judicial circuit, approved February 27, 1894, No. 687; an act to amend and re-enact section 1 of an act entitled an act to prevent trapping and seining in New river and its tributaries, approved February 23, 1894, No. 688; an act to amend and re-enact sections 15 and 16 of an act entitled an act to incorporate the town of South Boston, in the county of Halifax, approved January 30, 1888, No. 689; an act to allow J. J. Darden, ex-treasurer of Southampton county, and all his deputies, further time for collecting taxes in Southampton, No. 690; an act providing for the working, opening, and keeping in repair the roads in the counties of Brunswick, Nottoway, and Amelia, and for

the building and keeping in repair the bridges in said counties, No. 691; an act to amend and re-enact section 666 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 666 of the Code of Virginia, in relation to delinquent lands purchased in the name of auditor, approved March 5, 1894, as amended by an act entitled an act to amend and re-enact section 666 of the Code of Virginia, as amended and re-enacted by an act approved March 5, 1894, in relation to delinquent lands purchased in the name of the auditor, approved January 29, 1896, No. 529; and an act to amend and re-enact section 814 of the Code of Virginia, as amended by an act approved 23rd February, 1894, prescribing the penalties of bonds of county officers, No. 680.

In which joint resolution and bills they request the concurrence of the Senate.

House joint resolution in reference to the appointment of a committee looking to the care of epileptics, which was referred to the committee on public institutions and education.

No. 354, House bill entitled an act to amend and re-enact section 1 of an act entitled an act authorizing the board of supervisors of certain counties to levy a tax on dogs, was taken up, twice read, and referred to the committee on county, city and town organizations.

No. 525, House bill entitled an act to provide more effectually for the punishment of vagrants, was taken up, twice read, and referred to the committee for courts of justice.

No. 592, House bill entitled an act to allow W. J. Woods, treasurer of Giles county, and his deputies further time for collecting uncollected taxes in Giles county, was taken up, twice read, and referred to the committee on finance and banks.

No. 595, House bill entitled an act in relation to official bonds to be given by certain county and district officials in the county of Bedford, Virginia, was taken up, twice read, and referred to the committee on finance and banks.

No. 610, House bill entitled an act to authorize the Commercial Guarantee Company, of Richmond, Va., to deposit securities with the State treasurer, was taken up, twice read, and on motion of Mr. SANDS (the rules being suspended therefor), placed on the calendar.

No. 611, House bill entitled an act to amend and re-enact section 2877 of the Code of Virginia in relation to persons transacting business as "agent," "factor," and "company," or "and company," who is a trader; how business conducted, &c., and to add the words "manager" and "words of similar import and meaning," was taken up, twice read, and referred to the committee for courts of justice.

No. 612, House bill entitled an act to amend and re-enact section 3570 of the Code of Virginia relating to a judgment not being a lien against purchaser for value without notice, unless docketed,

was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 614, House bill entitled an act to provide that the Clintwood sub-division, in Dickenson, be, and the same is hereby, made a school district, to be known as the Clintwood school district, and to provide for building a school house and raising funds for same, was taken up, twice read, and on motion of Mr. ST. CLAIR (the rules being suspended therefor), placed on the calendar.

✓ No. 613, House bill entitled an act to amend and re-enact section 3716 of the Code of Virginia, 1887, in relation to embezzlement of money, bills, checks, or other property, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 615, House bill entitled an act to amend and re-enact section 7 of an act entitled an act for the protection of sheep in the county of Albemarle, approved March 25, 1875, was taken up, twice read, and on motion of Mr. MORRIS (the rules being suspended therefor), placed on the calendar.

✓ No. 616, House bill entitled an act to amend and re-enact section 16 of an act entitled an act to provide for the working and repairing of public roads and bridges in Albemarle county, approved February 20, 1892, was taken up, twice read, and, on motion of Mr. MORRIS (the rules being suspended therefor), placed on the calendar.

✓ No. 617, House bill entitled an act to protect hares (or rabbits) in Essex county, was taken up, twice read, and, on motion of Mr. STUBBS (the rules being suspended therefor), placed on the calendar.

✓ No. 618, House bill entitled an act to authorize the county court of Wise county to have certain obstructions removed from Guests river, in Wise county, was taken up, twice read, and, on motion of Mr. KANE (the rules being suspended therefor), placed on the calendar.

✓ No. 619, House bill entitled an act to change the name of Jacksonville magisterial district, in Floyd county, to Court-house district, was taken up, twice read, and, on motion of Mr. HALE (the rules being suspended therefor), placed on the calendar.

✓ No. 621, House bill entitled an act to regulate the size of barrels used for shipment of agricultural products, commonly called truck, was taken up, twice read, and referred to the committee on general laws.

✓ No. 625, House bill entitled an act to compensate school trustees, other than clerks of district school board, in Dickenson, Buchanan and Wise counties, was taken up, twice read, and, on motion of Mr. ST. CLAIR (the rules being suspended therefor), placed on the calendar.

✓ No. 627, House bill entitled an act for the protection and preservation of certain fish in the Potomac river, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 628, House bill entitled an act to authorize and empower the judge of the county court of Powhatan to convey a plat of land

forty feet square in the court green of the aforesaid county to the Powhatan Troop Association, was taken up, twice read, and referred to the committee on county, city and town organizations.

✓ No. 629, House bill entitled an act in relation to the fencing of railway tracks in the county of Augusta, defining when the corporations are not liable for injuries and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 631, House bill entitled an act providing for the enlargement of the library room of the court of appeals in the State library building, in the city of Richmond, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 633, House bill entitled an act to authorize the town of Onancock, in the county of Accomac, to borrow money, was taken up, read twice, and referred to the committee on county, city, and town organizations.

✓ No. 638, House bill entitled an act to authorize Frank Tunstall Clark, of the city of Norfolk, to change his name, was taken up, twice read, and referred to the committee on general laws.

✓ No. 639, House bill entitled an act to make the boundary lines of lots or tracts of land in Capeville magisterial district, in the county of Northampton, a lawful fence, was taken up, twice read, and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.

✓ No. 640, House bill entitled an act in relation to fencing of railway tracks in the county of King William, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 646, House bill entitled an act to amend and re-enact section 8 of an act entitled an act to incorporate the Southwestern Railroad Company of Virginia, approved February 27, 1894, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 647, House bill entitled an act to incorporate the Broadwater Oyster Association, for the following purposes: to promote by the application of scientific methods, by experimental research, and by all other appropriate means, the propagation, cultivation and improvement of the oyster, to plant oysters in Virginia waters on the east or ocean side of Northampton county, to fatten oysters in the artificial parks and elsewhere, to shuck and prepare oysters for the market, and to take, buy, sell and deal in oysters, clam and other shell fish, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 642, House bill entitled an act to incorporate the McDaniel and Farmville Academy, was taken up, twice read, and on motion of Mr. SOUTHALL (the rules being suspended therefor), placed on the calendar.

- ✓ No. 645, House bill entitled an act to authorize the Winchester and Potomac Railroad Company to borrow money, execute mortgages on its property to secure it, to fix the recording tax, and to confirm the existing lease of the Baltimore and Ohio Railroad Company, was taken up, twice read, and on motion of Mr. HAY (the rules being suspended therefor), placed on the calendar.
- ✓ No. 648, House bill to authorize the board of supervisors of the county of Lancaster to increase the salary of the judge of the county court of said county, was taken up, twice read, and on motion of Mr. MASON (the rules being suspended therefor), placed on the calendar.
- ✓ No. 650, House bill to regulate the sale of cider and other intoxicants in the village of Lovingsston, in Nelson county, was taken up, twice read, and on motion of Mr. BROWN (the rules being suspended therefor), placed on the calendar.
- ✓ No. 652, House bill in relation to fencing of railway tracks in the county of Henry, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 653, House bill providing for the working, opening and keeping in repair the roads in the county of Lunenburg, and for the building and keeping in repair the bridges in said county, was taken up, twice read, and on motion of Mr. TURNBULL (the rules being suspended therefor), placed on the calendar.
- ✓ No. 654, House bill entitled an act to amend and re-enact section 2 of an act approved February 22, 1890, entitled an act to extend the boundaries of the city of Norfolk, and to amend and re-enact sections 5, 6 and 12 of said act, as amended by an act approved February 12, 1892, entitled an act to amend and re-enact sections 5, 6 and 12 of an act entitled an act to extend the boundaries of the city of Norfolk, approved February 22, 1890, was taken up, twice read, and on motion of Mr. SNEAD (the rules being suspended therefor), placed on the calendar.
- ✓ No. 656, House bill entitled an act to amend and re-enact section 525 of the Code of Virginia, in relation to the collection of fees of the commissioners of the revenue, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 658, House bill to prohibit hogs from running at large upon the streets or roads on Chincoteague Island, in Accomac county, was taken up, twice read, and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.
- ✓ No. 659, House bill authorizing board of supervisors of Accomac county to levy a tax on real and personal property, in Island district, for the erection of a lock-up on Chincoteague Island, Accomac county, was taken up, twice read, and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.
- ✓ No. 660, House bill to provide for the trial of cases pending in

the county court of Warwick county, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 661, House bill in relation to fencing of railway tracks in the county of Bedford, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 662, House bill entitled an act to repeal an act entitled an act to authorize the board of supervisors of Dinwiddie county to increase the salary of the county judge, approved February 7, 1894, was taken up, twice read, and, on motion of Mr. McILWAINE, (the rules being suspended therefor), placed on the calendar.

✓ No. 663, House bill entitled an act to amend and re-enact section 3, chapter 537, of an act approved March 1, 1894, Acts of Assembly 1893-94, entitled an act for the working of the county roads of Richmond and Lancaster, was taken up, twice read, and on motion of Mr. MASON. (the rules being suspended therefor), placed on the calendar.

✓ No. 664, House bill in relation to fencing of railway tracks in the county of Campbell, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 665, House bill in relation to fencing of railway tracks in the counties of Giles and Pulaski, defining when the corporations are not liable for injuries, and establishing their liabilities in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 668, House bill entitled an act to prevent the unlawful killing of water-fowl and other game in the counties of Chesterfield, Prince George, Charles City, and Surry, was taken up, twice read, and referred to the committee on fish and game.

✓ No. 669, House bill entitled an act to amend and re-enact an act approved February 4, 1892, entitled an act to amend and re-enact an act approved December 19, 1891, entitled an act to amend and re-enact chapter 129, extra session, 1887, for the protection of terrapin, was taken up, twice read, and referred to committee on fish and game.

✓ No. 670, House bill entitled an act for the relief of J. J. Ellis, was taken up, twice read, and referred to the committee on general laws.

✓ No. 671, House bill entitled an act to authorize the board of supervisors of Amherst county to borrow one thousand dollars, was taken up, twice read, and on motion of Mr. BROWN (the rules being suspended therefor), placed on the calendar.

✓ No. 677, House bill entitled an act to amend and re-enact section 3537 of the Code, relative to allowance to deputy sergeants of

certain cities, was taken up, twice read, and referred to committee on finance and banks.

- ✓ No. 681, House bill entitled an act to repeal an act approved February 1, 1894, entitled an act to regulate the killing, capturing, hunting, &c., of wild turkeys in the county of Lunenburg, was taken up, twice read, and on motion of Mr. TURNBULL (the rules being suspended therefor), placed on the calendar.
- ✓ No. 684, House bill entitled an act to incorporate the Virginia Union University, in the city of Richmond, was taken up, twice read, and on motion of Mr. LOVENSTEIN (the rules being suspended therefor), placed on the calendar.
- ✓ No. 686, House bill entitled an act providing for working public roads in Prince Edward county, was taken up, twice read, and, on motion of Mr. SOUTHALL (the rules being suspended therefor), placed on the calendar.
- ✓ No. 680, House bill entitled an act to amend and re-enact section 814 of the Code of Virginia as amended by an act approved 23d February 1894, prescribing the penalties of bonds of county officers was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 687, House bill entitled an act to amend and re-enact section 1 of an act entitled an act to prescribe the time for holding the courts in the Eighth judicial circuit, approved February 27, 1894, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 688, House bill entitled an act to amend and re-enact section 1 of an act entitled an act to prevent trapping and seining in New river and its tributaries, approved February 23, 1894, was taken up, twice read, and on motion of Mr. CLAYTOR (the rules being suspended therefor), placed on the calendar.
- ✓ No. 689, House bill entitled an act to amend and re-enact sections 15 and 16 of an act entitled an act to incorporate the town of South Boston, in the county of Halifax, approved January 30, 1888, was taken up, twice read, and on motion of Mr. JORDAN (the rules being suspended therefor), placed on the calendar.
- ✓ No. 690, House bill entitled an act to allow J. J. Darden, ex-treasurer of Southampton county, and all his deputies, further time for collecting taxes in Southampton, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 691, House bill entitled an act providing for the working, opening, and keeping in repair the roads in the counties of Brunswick, Nottoway, and Amelia, and for the building and keeping in repair the bridges in said counties, was taken up, twice read, and on motion of Mr. TURNBULL (the rules being suspended therefor), placed on the calendar.
- ✓ No. 561, House bill entitled an act to prohibit the killing or capturing for sale or offering to sell, or buying in the county of Page any partridges (or quail) for shipment beyond the limits of said

county, was taken up, twice read, and on motion of Mr. KEEZELL (the rules being suspended therefor), placed on the calendar.

✓ No. 529, House bill entitled an act to amend and re-enact section 666 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 666 of the Code of Virginia in relation to delinquent lands purchased in the name of auditor, approved March 5, 1894, as amended by an act entitled an act to amend and re-enact section 666 of the Code of Virginia, as amended and re-enacted by an act approved March 5, 1894, in relation to delinquent lands purchased in the name of the auditor, approved January 29, 1896, was taken up, twice read, and referred to the committee on general laws.

✓ No. 298½, House bill entitled an act to authorize the Governor to appoint a board of commissioners for the promotion of the uniformity of legislation in the United States, was taken up, twice read, and referred to the committee on general laws.

— No. 661, House bill entitled an act in relation to fencing of railway tracks in the county of Bedford, defining when the corporation are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.

Mr. FLOOD, from the committee on fish and game, reported without amendment,

✓ No. 303, House bill to regulate the killing and capture of deer and other game in Botetourt county.

Mr. LITTLE, from the committee on privileges and elections, reported without amendment,

✓ No. 625, Senate bill to amend and re-enact section 70 of the Code of Virginia in relation to the pay of electoral boards.

✓ He, from the same committee, made report in the contested election case of Parrish vs. Flanagan.

And he, from the same committee, reported without amendment,

✓ No. 396, House bill entitled an act to legalize primary conventions in the counties of Accomac and Northampton.

Mr. SANDS, from the committee on general laws, reported without amendment,

✓ No. 633, Senate bill to incorporate the Virginia Water Power Company.

And he, from the same committee, reported without amendment,

✓ No. 645, Senate bill to incorporate the American Stemming Machine Company.

Mr. MORRIS, from the committee on public institutions and education, reported without amendment,

✓ No. 552, Senate bill to pay district school trustees of Rockbridge county.

And he, from the same committee, reported without amendment,

✓ No. 515, House bill entitled an act requiring superintendent of

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penitentiary to keep account of all expenses incurred in delivering convicts to the penitentiary.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported with amendments,

✓ No. 576, House bill entitled an act to amend the charter of the city of Newport News, Virginia.

He, from the same committee, reported with amendments,

✓ No. 602, Senate bill to provide for the working and keeping in repair roads and bridges in the county of Charles City.

He, from the same committee, reported with amendments,

✓ No. 620, Senate bill to amend and re-enact an act approved February 23, 1888, as amended by an act entitled an act to amend and re-enact the charter of the town of Waynesboro, approved January 26, 1892.

He, from the same committee, reported without amendment,

✓ No. 630, Senate bill to authorize and empower the city of Danville, Virginia, to extend its water main and pipes to the Danville Military Institute, in Pittsylvania county, Va., and supply the same with city water.

He, from the same committee, reported with amendments,

✓ No. 631, Senate bill to amend and re-enact an act to confer upon the council of the town of Danville authority to build, purchase, repair and keep up a free bridge or free bridges across Dan river, and to confer upon the said corporation the power to increase its bonded indebtedness for public improvements, approved February 24, 1886, as amended and re-enacted by an act entitled an act to amend and re-enact section 2 of an act entitled an act to confer upon the council of the town of Danville authority to build, purchase, repair and keep a free bridge or free bridges across Dan river, and to confer upon the said corporation power to increase its bonded indebtedness for public improvements, approved April 6, 1887, and to amend the title thereof.

He, from the same committee, reported without amendment,

✓ No. 652, Senate bill providing for working public roads in Prince Edward county.

And he, from the same committee, reported without amendment,

✓ No. 708, Senate bill to extend the limits of the city of Danville so as to embrace the town of Neapolis, in Pittsylvania county, Virginia, and to annex and unite said city and said town in one city, under the name of "City of Danville," and to amend and re-enact section 1 of chapter 1, sections 2 and 3 of chapter 3, sections 1 and 2 of chapter 4, and section 5 of chapter 5 of an act entitled an act to incorporate the city of Danville, approved February 17, 1890.

Mr. WICKHAM, by leave, presented

✓ No. 682, Senate bill to incorporate the Citizens' League of America; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. KEEZELL, by leave, presented

- ✓ No. 683, Senate bill to amend and re-enact an act approved February 26, 1896, entitled an act to authorize the Road Board of Central district, in Rockingham county, to establish a toll-gate on the Dry River road, in said county; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor) placed on the calendar.

Mr. G. W. JACKSON, by leave, presented

- ✓ No. 684, Senate bill to authorize the council of the town of Waverly to establish cemeteries or burial-places within or without said town, and to validate a certain deed conveying land to said town for that purpose; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. LITTLE, by leave, presented

- ✓ No. 685, Senate bill to add an independent section to an act entitled an act to amend the charter of the town of Fredericksburg, approved March 23, 1871; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. LITTLE, by leave, presented

- ✓ No. 686, Senate bill for the relief of the Rappahannock Gold Mine Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. McILWAINE, by leave, presented

- ✓ No. 687, Senate bill to extend to the Mutual Telephone Company, of the city of Petersburg, a corporation chartered by the Hustings court of the said city, and now operating an exchange therein, the privileges granted by sections 1287, 1288, and 1289 of the Code of Virginia, to telephone companies chartered by this State; which on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. BOYKIN, by leave, presented

- ✓ No. 688, Senate bill to repeal an act approved January 30, 1896, entitled an act to provide for the transportation of convicts to the penitentiary, and to repeal sections 4065, 4066, 4067, 4068, 4069, and 4070 of the Code of Virginia; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. WILLIAMS, by leave, presented

- ✓ No. 689, Senate bill to amend and re-enact section 1 of a charter granted to the Chase City Mineral Water and Development Company, on the 16th day of June, 1890, by the judge of the circuit court of Mecklenburg county in vacation; which, on his motion, was read the first, ordered to be read a second time, and, on his

further motion (the rules being suspended therefor), placed on the calendar.

Mr. LECATO, by leave, presented

- ✓ No. 690, Senate bill for the relief of A. J. Morse, E. J. Corbin, and S. K. Martin, of Accomac county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. FLOOD, by leave, presented

- ✓ No. 691, Senate bill to permit Matthew Gay to practice dentistry in Virginia; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. FLOON, by leave, presented

- ✓ No. 692, Senate bill for the relief of Mrs. James T. Gallier, the widow of a Confederate soldier; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. TRENWAY, by leave, presented

- ✓ No. 693, Senate bill to amend and re-enact section 2 of the charter of the town of Chatham, in Pittsylvania county, as amended by an act entitled an act to amend the charter of said town, approved April 24, 1894, as further amended by an act entitled an act to amend and re-enact second section of an act entitled an act to amend the charter of said town, approved March 1, 1875; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. SANDS, by leave, presented

- ✓ No. 694, Senate bill to incorporate the Capitol Electric Company; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. SANDS, by leave, presented

- ✓ No. 695, Senate bill to amend and re-enact section 28 of chapter 1 of an act entitled an act to provide for assessment of taxes on persons, property, and incomes, and on licenses to transact business, and imposing taxes thereon, for the support of the government and public free schools, and to pay the interest on the public debt, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is required, approved March 6, 1890, in reference to merchant's license; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. ST. CLAIR, by leave, presented

- ✓ 696, Senate bill to amend and re-enact section 31 of an act, entitled an act to provide a new charter for the town of Pocahontas; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. ECHOLS, by leave, presented

- ✓ No. 697, Senate bill for the relief of George A. Hutcheson, of the city of Staunton; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. LITTLE, by leave, presented

- ✓ No. 698, Senate bill to incorporate the Fredericksburg Telephone Company; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. BOYKIN, by leave, presented

- ✓ No. 699, Senate bill to amend and re-enact section 4667 of the Code of Virginia, entitled regulation of guard in conveying prisoners; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. BUCHANAN, by leave, presented

- ✓ No. 700, Senate bill to permit Dr. W. C. Berry to practice dentistry in Virginia; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. G. W. JACKSON, by leave, presented

- ✓ No. 701, Senate bill to amend and re enact section 2050 of the Code of Virginia, in relation to liability of owners of animals for trespass, and excluding the counties of Sussex and Prince George from the operation thereof; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee for courts of justice.

Mr. MASON, by leave, presented

- ✓ No. 702, Senate bill to vest the title of a certain lot of land in King George county in trustees for the use and benefit of Fletcher's Chapel, M. E. Church, South; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. WITHERS, by leave, presented

- ✓ No. 703, Senate bill to amend section 246 of chapter 18, Code of Virginia, in relation to the secretary of the Commonwealth furnishing reports of the decisions of the court of appeals; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. SNEAD, by leave, presented

- ✓ No. 704, Senate bill to amend and re-enact sections 3947 and 3950 in relation to coroners' inquests, regulating attendance of physicians upon the same and fixing their pay, and fixing the fees of coroners and constables; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. STUBBS, by leave, presented

- ✓ No. 705, Senate bill for the relief of R. T. Sears, one of the securities of John H. Sears, late treasurer of Mathews county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. STUBBS, by leave, presented

- ✓ No. 706, Senate bill declaring a certain portion of ground in York river a natural oyster rock; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on fish and game.

Mr. JONES, by leave, presented

- ✓ No. 707, Senate bill to amend and re-enact an act of the General Assembly of Virginia, approved January 30, 1896, entitled an act requiring the auditor of public accounts to make a statement annually, showing an accounting of the county and city treasurers with the State who are in arrears, and prescribing the manner in which the same shall be made public; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. WITHERS, by leave, presented

- ✓ No. 708, Senate bill to extend the limits of the city of Danville so as to embrace the town of Neapolis, in Pittsylvania county, Virginia, and to annex and unite said city and said town in one city, under the name of city of Danville, and to amend and re-enact section 1 of chapter 1, sections 2 and 3 of chapter 3, sections 1 and 2 of chapter 4, and section 5 of an act entitled an act to incorporate the city of Danville, approved February 17, 1890; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city, and town organizations.

Mr. JONES, from the joint committee of conference to consider the disagreement in reference to the Senate amendment to

- ✓ No. 180, House bill entitled an act to amend an re-enact an act to make husband and wife competent witnesses for or against each other in civil cases, approved March 5, 1894,

Reported that the committee recommend the Senate recede from its amendment, which was agreed to, and, on motion of Mr. JONES, he was ordered to inform the House of Delegates thereof.

- ✓ Mr. BUCHANAN presented the following joint resolution:

Whereas, It appears that the sum of \$16,314.26 was expended by the State, in the last fiscal year, for the support of lunatics and insane persons outside of the several insane hospitals; and whereas, it appears from the reports of the said hospitals that there is ample room to accommodate all persons who have been adjudged insane in the State; be it—

- ✓ Resolved by the Senate (the House of Delegates concurring), That the superintendents of the said hospitals having vacant rooms be, and they are hereby directed, within thirty days from the passage of this resolution, to send for and convey to the said hospitals all persons who have been adjudged insane, and who are

now cared for by the State outside of the hospitals; and that the auditor of public accounts, after the expiration of said thirty days, be hereby directed not to pay any account for the care of insane persons outside of the hospitals, unless said account shall be accompanied by a certified statement from the judge of the county court wherein said insane persons reside, that application has been made to the several insane hospitals of the State and admission refused on account of want of room,

Was taken up, and, on his motion (the rules being suspended therefor), agreed to, and, on his further motion, he was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. PARKS, who informed the Senate that that house had agreed to the joint resolution.

No. 428, House bill entitled an act to authorize the county court of Buckingham county to establish a public ferry across James river at or adjacent to Howardsville, between the counties of Buckingham and Albemarle or Nelson, adjacent to or near to the public ferry already established across said river at said point, was taken up, and, on motion of Mr. FLOOD (the rules being suspended therefor), read the third time, committee's amendments agreed to, and passed with its title.

No. 662, House bill to repeal an act entitled an act to authorize the board of supervisors of Dinwiddie county to increase the salary of the county judge, approved February 7, 1894, was taken up, read the third time, and, on motion of Mr. McILWAINE, the bill was indefinitely postponed.

Mr. JONES presented the following:

Resolved, That the chair be vacated to-day at three o'clock, and resumed at four o'clock P. M.; the evening session to be devoted to the consideration of bills which do not cause discussion.

Which was agreed to.

No. 634, Senate bill appropriating the public revenue, &c., being the special order of the day, was taken up, and Mr. BARNES proposed the following amendment:

In lines 240 and 241, strike out "\$70,000," and insert "\$75,000."

Which was rejected by the following vote—ayes, 14; noes, 20.

AYES—Messrs. Barnes, Boykin, Flanagan, Kane, LeCato, Little, Lovenstein, Mason, Maynard, McCune, Morris, Mushbach, Southall, and Stubbs—14.

NOES—Messrs. Brown, Claytor, Clement, Echols, Hale, Hay, G. W. Jackson, Jones, Jordan, Keezell, Lowry, McIlwaine, Parr, Sands, St. Clair, Tredway, Turnbull, Wickham Williams, and Withers—20.

Mr. BROWN proposed the following amendment:

In lines 250 and 251, strike out the words "five thousand dollars (\$5,000)." and insert "two thousand dollars (\$2,000)."

Which was rejected by the following vote—ayes, 9; noes, 20.

AYES—Messrs. Hale, Hay, Jones, LeCato, Mushbach, Parr, Turnbull, Williams, and Withers—9.

NOES—Messrs. Barnes, Boykin, Buchanan, Clement, Echols, Flood, G. W. Jackson, Jordan, Kane, Little, Lovenstein, Mason, Maynard, McCune, McIlwaine, Morris, Snead, St. Clair, Stubbs, and Wickham—20.

Mr. KEEZELL stated that he was paired with Mr. LOWRY, who, if he were present, would vote "No," and he would vote "Aye."

Mr. TREDWAY stated that he was paired with Mr. FAIRFAX, who, if he were present, would vote "No," and he would vote "Aye."

Mr. CLAYTOR stated that he was paired with Mr. FLANAGAN, who, if he were present, would vote "No," and he would vote "Aye."

Mr. TURNBULL moved to amend, which was rejected.

Mr. BROWN moved to amend further, which was rejected.

Mr. STUBBS moved to amend, which was rejected.

Mr. STUBBS moved to amend further, as follows:

For copying the muster rolls of Virginia troops belonging to the Confederate States now in the War Department at Washington. This sum to be placed in the hands of the governor, to be used when the governor can have the copying done. Four thousand dollars to be inserted at the end of line 298, page 14.

Which was rejected by the following vote—ayes, 8; noes, 21.

AYES—Messrs. Boykin, Clement, Little, Mason, Maynard, McIlwaine, St. Clair, and Stubbs—8.

NOES—Messrs. Brown, Echols, Flanagan, Flood, Green, Hale, G. W. Jackson, Jones, Jordan, Kane, Keezell, Lovenstein, McCune, Morris, Mushbach, Parr, Tredway, Turnbull, Wickham, Williams, and Withers—21.

✓ Mr. WITHERS proposed to amend by striking out the words "five hundred," in line 118, page 6, which was agreed to by the following vote—ayes, 18; noes, 16.

AYES—Messrs. Brown, Claytor, Clement, Flanagan, Hale, G. W. Jackson, Jones, Kane, Keezell, McIlwaine, Morris, Parr, Snead, St. Clair, Tredway, Turnbull, Williams, and Withers—18.

NOES—Messrs. Barnes, Boykin, Buchanan, Echols, Green, Hay, Jordan, Little, Lovenstein, Mason, Maynard, McCune, Mushbach, Southall, Stubbs, and Wickham—16.

✓ Mr. KEEZELL moved to reconsider the vote by which the amendment was agreed to, which was under consideration at the hour of recess, three o'clock.

EVENING SESSION.

Mr. ECHOLS, from the committee on roads and internal navigation, reported without amendment.

✓ No. 549, House bill entitled an act to incorporate the Occoquan and Mount Vernon Passenger Railway Company.

And he, from the same committee, reported without amendment,

✓ No. 536, Senate bill to extend the time for the completion of the Virginia Western Coal and Iron Railroad Company.

The following Senate bills were taken up, read the third time, and passed with their titles:

✓ No. 433, Senate bill to provide for the manner of electing certain district officers in the county of Rockingham.

✓ No. 556, Senate bill to incorporate the Young Men's Christian Association of Newport News, Va.

✓ No. 415, Senate bill to require corporations to furnish for record in the clerk's office of the county court of Wythe county the names of their officers and directors, and prescribing the penalty for failure to do so.

✓ No. 470, Senate bill to fix the price at which the Code of 1887 shall be sold.

✓ No. 592, Senate bill to amend and re-enact section 556 of the Code, prescribing when commissioners to return lists of licenses to auditor and what list to contain.

✓ No. 582, Senate bill to incorporate the Border Mutual Benefit Association of Danville, Va.

✓ No. 583, Senate bill to amend and re-enact section 366 of the Code of Virginia, in relation to term of enlistment.

✓ No. 609, Senate bill to amend and re-enact sections 2, 3, 4, and 5, of an act approved May 6, 1887, entitled "an act to incorporate the Portsmouth Street Railway Company," and to authorize the increase of its capital stock.

✓ No. 597, Senate bill to incorporate the Manchester Light and Fuel Company.

✓ No. 596, Senate bill to amend and re-enact section 3792 of the Code of Virginia in relation to fighting cocks, dogs, &c., in Alexandria county, how punished, and to amend the title thereof.

✓ No. 624, Senate bill to authorize the Winchester and Potomac Railroad Company to borrow money and give a lien on its property to secure it, and to fix the recording tax, and to confirm its existing lease to the Baltimore and Ohio Railroad Company, was taken up, read the third time, and, on motion of Mr. HAY, indefinitely postponed.

✓ No. 440, Senate bill to incorporate the Citizens Deposit Bank, was taken up, read a third time and passed; on motion of Mr. ECHOLS, title amended so as to read as follows: "To incorporate the Citizens Deposit Bank of Waynesboro, Va."

- ✓ No. 538, Senate bill for the relief of the sureties of John M. Dawson, late treasurer of James City county and the city of Williamsburg, and also granting to said John M. Dawson an extension of time within which to distrain for, levy and collect tax bills now in his hands, was taken up, read the third time, and passed with its title by the following vote—ayes, 27; noes, none.

AYES—Messrs. Barnes, Boykin, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jordan, Keezell, LeCato, Little, Lowry, Mason, McCune, McIlwaine, Morris, Parr, Sands, Snead, Southall, St. Clair, Tredway, Wickham, and Williams—27.

NOES—None.

The following House bills were taken up, read the third time, and passed with their titles:

- ✓ No. 645, House bill to authorize the Winchester and Potomac Railroad Company to borrow money, execute mortgages on its property to secure it, to fix the recording tax, and to confirm the existing lease to the Baltimore and Ohio Railroad Company.
- ✓ No. 65, House bill to amend and re-enact an act entitled an act to amend and re-enact section 2961 of the Code of Virginia, 1887, relative to attachments, approved January 30, 1890.
- ✓ No. 481, House bill to amend and re-enact section 3890 of the Code of Virginia, in relation to offences committed without, and made punishable within the State where prosecuted, and making liable to punishment persons committing robbery or larceny beyond the State, and bringing the stolen property within the same.
- ✓ No. 482, House bill providing that when a mortal wound or injury is inflicted by a person within the State upon one outside the same, or upon one in this State who afterwards dies from the effects of the same outside of the State, that the offender shall be amenable to punishment and where he may be prosecuted.
- ✓ No. 265, House bill to amend and re-enact section 3810 of the Code of Virginia, entitled appointment of police for religious meetings.
- ✓ No. 530, House bill entitled an act to authorize the board of supervisors of Nansemond county to have the lands of all persons in said county, or in selected portions thereof, or of individuals who may request it, proccessioned.
- ✓ No. 528, House bill entitled an act to amend and re-enact section 8 of an act entitled an act to provide for working and keeping in repair the roads and bridges in Nansemond county, approved March 3, 1894.
- ✓ No. 451, House bill to prevent cruelty to children, and to regulate and provide for their control and custody in certain cases, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

The following Senate bills were taken up, read the second time, and ordered to be engrossed and read a third time:

✓ No. 683, Senate bill to amend and re-enact an act approved February 26, 1886, entitled an act to authorize the road board of Central district, in Rockingham county, to establish a toll gate on the Dry river road.

✓ No. 693, Senate bill to amend and re-enact section 2 of the charter of the town of Chatham, in Pittsylvania county, as amended by an act entitled an act to amend the charter of said town, approved April 24, 1874, as further amended by an act entitled an act to amend and re-enact 2d section of an act entitled an act to amend the charter of said town, approved March 1, 1875.

✓ No. 689, Senate bill to amend and re-enact section 1 of a charter granted to the Chase City Mineral Water and Development Company, on the 16th day of June, 1890, by the judge of the circuit court of Mecklenburg county, in vacation.

✓ No. 684, Senate bill to authorize the council of the town of Waverley to establish cemeteries or burial-places within or without said town, and to validate a certain deed conveying land to said town for that purpose.

✓ No. 682, Senate bill to incorporate the Citizens' League of America.

✓ No. 552, Senate bill to pay district school trustees of Rockbridge county.

✓ No. 630, Senate bill to authorize and empower the city of Danville, Va., to extend its water main and pipes to the Danville Military Institute, in Pittsylvania county, Va., and supply the same with city water.

✓ No. 652, Senate bill providing for working public roads in Prince Edward county.

✓ No. 625, Senate bill to amend and re-enact section 70 of the Code of Virginia, in relation to the pay of electoral boards.

✓ No. 655, Senate bill to increase the number of governors for the Masonic Home of Virginia.

✓ No. 645, Senate bill to incorporate the American Stemming-Machine Company.

✓ No. 676, Senate bill to amend section 7 of an act entitled an act incorporating the Masonic Home of Virginia, approved January 7, 1890.

✓ No. 675, Senate bill providing for the working, opening and keeping in repair the roads in the county of Cumberland, and for the building and keeping in repair the bridges in said county.

✓ No. 671, Senate bill to amend and re-enact an act entitled an act fixing the time for holding courts in the third judicial circuit, approved February 20, 1890.

✓ No. 670, Senate bill to amend and re-enact section 1 of an act entitled an act to authorize certain persons, when arrested or convicted, to be committed to the custody of the Prison Association of Virginia, approved March 4, 1890.

✓ No. 668, Senate bill to amend and re-enact section 8 of an act

entitled an act incorporating the town of Barton Heights, in Henrico county, approved January 30, 1896.

- ✓ No. 664, Senate bill to amend and re-enact sections 1 and 2 of an act to incorporate the town of Dayton, Rockingham county, approved March 9, 1880, as amended by an act entitled an act to amend and re-enact an act to incorporate the town of Dayton, approved March 9, 1880, and all acts amendatory thereof, approved February 29, 1892, and to add an independent section empowering the town council of said town to negotiate a loan not to exceed five thousand dollars.
- ✓ No. 643, Senate bill to incorporate the American Annuity Order of the city of Richmond.
- ✓ No. 543, Senate bill to regulate the sale of cider and other intoxicants in the village of Lovington, Nelson county.
- ✓ No. 599, Senate bill to authorize the board of trustees of Margaret Academy, in Accomac county, to hold meetings with less than a quorum of its members.
- ✓ No. 612, Senate bill to amend and re-enact section 3049 of the Code of Virginia, as amended and re-enacted by an act approved March 5, 1894, entitled an act to amend and re-enact section 3049 of the Code of Virginia, providing when judge of a county or corporation court fails to hold same, what judge may do so; when governor to designate judge to do so; his pay and mileage.
- ✓ No. 654, Senate bill to incorporate the Mount Hebron Cemetery, near Middletown.
- ✓ No. 636, Senate bill to amend and re-enact the second clause of section 3214 of the Code of Virginia, in relation to the county or corporation in which actions at law or suits in equity may be brought.
- ✓ No. 669, Senate bill to require a uniform rate of charges for telephone service in the State of Virginia.
- ✓ No. 571, Senate bill for the relief of J. H. Wingfield.
- ✓ No. 323, Senate bill for the relief of J. E. Allbrook, a wounded Confederate soldier, of Prince Edward county, Va.
- ✓ No. 485, Senate bill for the relief of Dulaney Malone, a Confederate veteran, of Washington county.
- ✓ No. 607, Senate bill to authorize the board of supervisors of Bland county to levy a tax for the purpose of repairing the public roads in said county.
- ✓ No. 606, Senate bill to amend and re-enact an act approved February 27, 1894, prescribing the time for holding the circuit courts in the several counties comprising the fifteenth judicial circuit of Virginia.
- ✓ No. 629, Senate bill for the prevention of accidents caused by the breaking of the trolley wires on street railways.
- ✓ No. 586, Senate bill to incorporate the Lake Drummond Railway and Hotel Company.
- ✓ No. 449, Senate bill to amend and re-enact section 2849 of the

Code of Virginia, so as to declare and define what bills, notes, etc., are negotiable and may be protected.

The following Senate bills were taken up, read the second time, committee's amendments agreed to in each one, and ordered to be engrossed and read a third time.

- ✓ No. 327, Senate bill to amend and re-enact sections 4080 and 4083 and to repeal section 4082 of chapter 199 of the Code of Virginia, in relation to taxation and allowance of costs in criminal cases.
- ✓ No. 174, Senate bill to amend and re-enact section 3529 of the Code of Virginia, in relation to fees of officers.
- ✓ No. 548, Senate bill to amend and re-enact section 3251 of the Code of Virginia, relating to forms of actions and declarations on policy of insurance.
- ✓ No. 309, Senate bill to amend and re enact sections 2945 and 2949 of the Code as to warrants for small claims.
- ✓ No. 579, Senate bill to punish the illicit traffic in intoxicating liquors in the counties of Wythe, Carroll and Grayson.
- ✓ No. 584, Senate bill to incorporate the Atlantic, Winchester and Western Railroad Company.
- ✓ No. 523, Senate bill to incorporate the Broadwater Oyster Association.
- ✓ No. 504, Senate bill for the relief of Samuel P. Mosely, a disabled Confederate soldier.
- ✓ No. 441, Senate bill directing the auditor of public accounts to place the name of Andrew Austin on the pension list.
- ✓ No. 393, Senate bill for the relief of Mrs. E. S. Howard, widow of a Confederate soldier.
- ✓ No. 171, Senate bill for the relief of George W. Bledsoe, of Madison county, Va.
- ✓ No. 79, Senate bill to allow a pension to Susan A. Rickman, of Halifax county.
- ✓ No. 148, Senate bill to allow a pension to Sarah Right, of Patrick county.
- ✓ No. 66, Senate bill for the relief of William Gunter, disabled Confederate soldier, of Patrick county.
- ✓ No. 23, Senate bill for the relief of Mrs. Elizabeth Covington, widow of a Confederate soldier.
- ✓ No. 559, Senate bill to relieve Robert H. Armistead, a disabled Confederate soldier, of Cumberland county, Virginia.
- ✓ No. 617, Senate bill suspending time of redeeming land sold for delinquent taxes and bought by the auditor in cases where proceedings in equity have been instituted by parties interested in such lands.
- ✓ No. 642, Senate bill to incorporate the Holston Oil and Manufacturing Company.
- ✓ No. 641, Senate bill to incorporate the Norfolk Lumber Company.

- ✓ No. 528, Senate bill to incorporate the National Adjustment Society.
- ✓ On motion of Mr. HAY, the vote by which the bill was ordered to be engrossed was reconsidered.
- ✓ No. 631, Senate bill to amend and re-enact an act to confer upon the council of the town of Danville authority to build, purchase, repair, and keep up a free bridge or free bridges across the Dan river, and to confer upon the said corporation the power to increase its bonded indebtedness for public improvements, approved February 24, 1896, as amended and re-enacted by an act entitled an act to amend and re-enact section 2 of an act entitled an act to confer upon the council of the town of Danville authority to build, purchase, repair, and keep a free bridge or free bridges across Dan river, and to confer upon the said corporation power to increase its bonded indebtedness for public improvements, approved April 6, 1887, and to amend the title thereof.
- ✓ No. 602, Senate bill to provide for making and keeping in repair roads and bridges in the county of Charles City.
- ✓ No. 610, Senate bill to amend and re enact section 925 of the Code, relating to court-house, clerks' office and jail stationery and furniture, was taken up, read the second time, and on motion of Mr. WICKHAM, amended and ordered to be engrossed and read a third time.
- ✓ No. 611, Senate bill to amend and re-enact section 774, Code of Virginia, requiring auditor of public accounts to keep accounts against treasurer also of court expenses, was taken up, read the second time, and on motion of Mr. WICKHAM, amended, and ordered to be engrossed, and read a third time.
- ✓ No. 407, Senate bill to amend and re enact section 3137 and independent sections 5 and 8 of an act of the General Assembly in relation to oysters, approved March 5, 1894, and to amend and re-enact independent section 11 of an act approved February 25, 1892, in relation to oysters, was taken up, read the second time, committee's amendments agreed to; on motion of Mr. BOYKIN, the bill was further amended and as amended, ordered to be engrossed, and read a third time, and being forthwith engrossed, on his further motion, read the third time, and passed with its title.
- ✓ No. 696, Senate bill to amend and re enact section 31 of an act entitled an act to provide a new charter for the town of Pocahontas, was taken up, read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. ST. CLAIR (two thirds concurring), read the third time and passed with its title.
- ✓ No. 687, Senate bill to extend the Mutual Telephone Company of the city of Petersburg, a corporation chartered by the hustings court of the said city, and now operating an exchange therein, the privileges granted by sections 1287, 1288, and 1289 of the Code of Virginia, to telephone companies chartered by this State, was taken

✓ up, read a second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. McILWAINE (two-thirds concurring), read the third time and passed with its title.

✓ No. 620, Senate bill to amend and re-enact an act approved February 23, 1888, as amended by an act entitled an act to amend and re-enact the charter of the town of Waynesboro', approved January 26, 1892, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. ECHOLS (two-thirds concurring), read the third time and passed; on his further motion, the title was amended by adding the following: "and to authorize the said town to issue bonds for water and cemetery purposes."

✓ No. 708, Senate bill to extend the limits of the city of Danville, so as to embrace the town of Neapolis, in Pittsylvania county, Virginia, and to annex and unite said city and said town in one city, under the name of city of Danville, and to amend and re-enact section 1 of chapter 1, sections 2 and 3 of chapter 3, sections 1 and 2 of chapter 4, and section 5 of chapter 5 of an act entitled an act to incorporate the city of Danville, approved February 17, 1890, was taken up, read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. WITHERS (two-thirds concurring), read the third time and passed with its title.

✓ No. 633, Senate bill to incorporate the Virginia Water Power Company, was taken up, read the second time, and on motion of Mr. FLOOD, recommitted to the committee on general laws.

✓ No. 647, Senate bill to amend and re-enact an act entitled an act providing a charter for the town of Harrisonburg, in force July 9, 1870, as amended by sundry subsequent acts, was taken up, read the second time, on motion of Mr. KEEZELL, amended, ordered to be engrossed and read a third time.

✓ No. 656, Senate bill to incorporate the Peninsula Gaslight, Fuel and Power Company, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. MAYNARD, read a third time and passed with its title.

✓ No. 685, Senate bill to add independent sections to an act entitled an act to amend the charter of the town of Fredericksburg, approved March 22, 1871, was taken up, read the second time, ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. MASON (two-thirds concurring), read the third time and passed with its title.

✓ No. 394, Senate bill to amend and re-enact section 834 of the Code of Virginia, as amended and re-enacted by an act passed March 5, 1888, as amended and re enacted by an act passed February 25, 1892, as amended and re enacted by an act passed March 5, 1894, as to the pay of Commonwealth's attorneys, sheriffs and clerks, was taken up, read the second time, and rejected.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment,

- ✓ No. 568, House bill authorizing the commissioner of direct taxes for the county of Prince George to pay over to the board of supervisors of said county any balance of direct tax fund in his hands, to be used in improvement of public roads of said county, and providing for enforcing payment of same, and for refunding any of said fund to persons entitled thereto.

Mr. JORDAN, from the committee on agriculture, mining and manufacturing, reported with amendments,

- ✓ No. 530, Senate bill to eradicate the San Jose or pernicious scale, a disease affecting fruit trees, and to prevent its spread.

Mr. WITHERS, from special committee on criminal expenses, reported

- ✓ No. 405, House bill entitled an act to amend and re-enact sections 4071, 4074, and 4075 of the Code of Virginia, in relation to the confinement in jail and release therefrom of persons sentenced or directed by a court of justice to be confined therein in default of the payment of a fine, or fine and cost, or cost, where there is no fine until such fine, or fine and cost, be paid, and the release from jail of persons in jail under *capias pro fine*.

On motion of Mr. LECATO, the committee on fish and game were discharged from the further consideration of

- ✓ No. 647, House bill to incorporate the Broadwater Oyster Association, for the following purposes: to promote, by the application of scientific methods, by experimental research, and by all other appropriate means, the propagation, cultivation, and improvement of the oyster; to plant oysters in Virginia waters, on the east or ocean side of Northampton county; to fatten oysters in the artificial parks and elsewhere; to shuck and prepare oysters for the market, and to take, buy, sell, and deal in oysters, clams, and other shell fish.

On motion of Mr. HAY, the Senate adjourned until to-morrow, twelve o'clock.

WEDNESDAY, FEBRUARY 26, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Moses D. Hoge, D. D.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In the House of Delegates, February 25, 1896.

The House of Delegates has passed Senate bills entitled an act to

✓ amend and re-enact section 3164 of the Code of Virginia, in reference to allowances to jurors and requiring lists, certified by the judge of the court and the clerk thereof, to be sent to the treasurer of the county or corporation and to the auditor of public accounts immediately after the adjournment of any court, No. 133; an act to amend and re-enact sections 3549 and 3550 of the Code of Virginia, in reference to allowance to witnesses; how and by whom entered; by whom and upon what certificate paid; and requiring lists, certified by the judge of the court and the clerk thereof, of all allowances made witnesses on behalf of the Commonwealth, to be sent to the treasurer of the county or city, and to the auditor of public accounts, immediately after the adjournment of any court, No. 134; an act to amend and re-enact section 2164 of the Code of Virginia, in reference to when license to dredge oysters granted to residents; application therefor, as amended and re-enacted by act approved March 5, 1894, No. 239; an act to authorize the qualified voters of Alexandria county to vote on the question of the removal ✓ of the courthouse from Alexandria city to some point within Alexandria county, No. 255; an act to amend and re-enact section 1792 of the Code of Virginia, in relation to the issue of licensed warehouse and other licensed storage receipts, and to provide penalties in respect thereto, No. 301; an act to amend and re-enact an act entitled an act to provide for the payment of debt due by commission merchants, approved February 27, 1894, and to provide remedies in respect thereto, No. 302; an act in relation to the fraudulent sale, negotiation, pledge, or hypothecation of licensed warehouse or other licensed storage receipts, and to provide punishment in respect thereto, No. 303; an act to amend and re-enact section 1 of chapter 83 of the Acts of 1889 and 1890, in relation to the control of prisoners in jail, No. 314; an act to amend and re-enact an act entitled an act to amend and re-enact section 2088 of the Code of Virginia, ✓ in relation to hauling seines or setting traps in the waters of Accomac and Northampton counties, approved March 3, 1892, No. 356; an act to amend and re-enact an act entitled an act to regulate and protect the crabbing industry and to prohibit non-residents from catching crabs in the waters of Virginia, approved March 7, 1894, and to repeal an act entitled an act to protect the crab industry of the Commonwealth, approved May 12, 1887, No. 358; an act for the relief of William Henry Harrison Cawood, No. 396; an act extending further time to A. O. Burks, treasurer of the city of Buena Vista, for the collection of unpaid taxes due to the Commonwealth and to said city, No. 448; an act to enable the rector and board of visitors of the Virginia Agricultural and Mechanical College to procure a supply of water, and to construct and maintain a system of water-works, No. 491; ✓ an act to authorize the council of the city of Bristol to issue bonds to pay its bonded indebtedness, No. 551; and an act to amend and re-enact section 11 of an act approved January

- ✓ 22, 1892, entitled an act to amend and re-enact the charter of the town of Marion, Va., No. 562.
- ✓ They have receded from their amendments to Senate bill entitled an act to prescribe the times for holding the circuit courts in the ninth judicial circuit, No. 464.
- ✓ They have passed with amendments, Senate bills entitled an act requiring a list of all allowances against the Commonwealth, other than allowances to jurors and witnesses, made at any term of a court of the Commonwealth, to be certified by the judge of the court and the clerk thereof, and transmitted to the auditor of public accounts immediately upon the adjournment of each term of a court of the Commonwealth, No. 132; an act to incorporate the Winchester Telephone Company, No. 496; and an act to provide for a method for the better assessment of personal property under the control of fiduciaries and the several courts of the Commonwealth, No. 509.
- ✓ They have agreed to Senate joint resolution in reference to filling a vacancy in the electoral board of Bland county, with amendments.
- ✓ They have agreed to the amendments of the Senate to House bills entitled an act to amend and re-enact section 1 of an act authorizing the board of supervisors of each county in the State to levy a tax on dogs, and to enforce a collection of said tax, with certain penalties in case of failure to pay the same, approved March 5, 1894, No. 360; an act to provide a new charter for the city of Roanoke, No. 335; an act to incorporate the Potomac River Railroad Company, No. 330; an act to repeal section 9 of chapter 3 of an act of the General Assembly of Virginia, approved March 3, 1894, entitled an act to provide a new charter for the town of Clintwood, in Dickenson county, No. 332; an act to amend the charter of the Citizens Bank of Norfolk, Va., No. 292; an act to incorporate the Falls Church, Fairfax and Manassas Railway Company, No. 550; an act to prescribe the time for holding the circuit courts in the fourth judicial circuit since the addition thereto of the city of Lynchburg and county of Campbell, as provided by an act approved February 5, 1896, No. 475; an act to incorporate the Eastern Midland Railway Company, No. 466; an act to incorporate the Newport News and Hampton Electric Railway Company, No. 305; an act for the protection of sheep, hogs, and turkeys in the county of King William by making the owner of dogs that kill, maim, or worry the same liable for damages. No. 386; an act to amend and re-enact sections 4, 5, and 8 of an act approved February 1, 1894, entitled an act to provide for working the roads in Northampton county, approved March 2, 1892, as amended by an act approved February 23, 1894, No. 459; an act to amend and re-enact section 2500 of the Code, and to amend and re-enact section 2501 of the Code, as amended and re-enacted by an act approved February 10, 1890, entitled an act to amend and re-enact section 2501 of the Code, in relation to certificates of acknowledgments, No. 404; and an act to fix the penalty of the bond of the treasurer of Rockbridge

county, requiring every sixty days statement of collections and payment into the treasury of the State's revenue, and to empower the county board of supervisors to demand new or additional bond. No. 395.

In which amendments they request the concurrence of the Senate.

Joint resolution electoral board of Bland county, was taken up, and the amendment proposed by the House of Delegates, agreed to.

No. 132, Senate bill requiring a list of all allowances against the Commonwealth, other than allowances to jurors and witnesses made at any term of a court of the Commonwealth, to be certified by the judge of the court and the clerk thereof, and transmitted to the auditor of public accounts, immediately upon the adjournment of each term of a court of the Commonwealth, was taken up, and the amendment proposed by the House of Delegates, on motion of Mr. JONES, disagreed to, and on his further motion, he was ordered to inform the House of Delegates thereof,

No. 509, Senate bill to provide for a method for the better assessment of personal property under the control of fiduciaries and the several courts of the Commonwealth, was taken up, and on motion of Mr. SANDS the Senate refused to concur in the amendment proposed by the House of Delegates, and on his further motion, he was ordered to inform the House of Delegates thereof.

No. 496, Senate bill to incorporate the Winchester Telephone Company, was taken up, and the amendments proposed by the House of Delegates, agreed to.

Mr. JORDAN, from the committee on agriculture, mining and manufacturing, reported with amendments,

No. 124, House bill to amend and re-enact sections 3, 8, 6 and 10 of an act entitled an act to amend sections 2, 4, 6 and 10 of an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers and the guarantee and condition upon which they are sold, and fixing the penalties incurred for violations of the same, approved February 24, 1890, amended by an act approved March 8, 1894.

He, from the same committee, reported with the recommendation that it do not pass,

No. 679, Senate bill to repeal chapter 81 of the Code of Virginia, and an act entitled an act to provide for a State board of agriculture of Virginia, and making appropriations therefor, approved March 5, 1888.

And he, from the same committee, reported with recommendation that it do not pass,

No. 680, Senate bill to promote the agricultural, manufacturing and mineral interests of Virginia.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported with a substitute,

- ✓ No. 502, House bill to amend and re-enact sections 4 and 6 of an act approved March 5, 1888, entitled an act providing for the subdivision of tracts of lands into lots or parcels, and for the record of plots thereof.

Mr. WICKHAM, from the committee on finance and banks, reported with amendments,

- ✓ No. 199, Senate bill for the relief of the sureties of W. L. Gravely, late treasurer of Henry county.

He, from the same committee, reported without amendment,

- ✓ No. 273, Senate bill for the relief of V. W. Gibson, a disabled Confederate soldier.

He, from the same committee, reported without amendment,

- ✓ No. 385, Senate bill providing for relief of A. J. Swindall, Ed. Hall, and John Hall, administrator of John Branham, deceased, all of Wise county, Virginia.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 545, Senate bill to remit to the county of Madison the State taxes on the Madison and Orange Railroad for certain purposes.

He, from the same committee, reported without amendment,

- ✓ No. 585, Senate bill to authorize Marion Marshall, deputy treasurer of Carroll county, to collect taxes due for the years 1892 and 1893.

He, from the same committee, reported without amendment,

- ✓ No. 587, Senate bill to amend and re-enact sections 5 and 9 of an act entitled an act for the distribution among those entitled of the direct tax money donated by the United States government, approved March 3, 1892.

He, from the same committee, reported without amendment,

- ✓ No. 672, Senate bill for the relief of R. W. Read, a Confederate veteran of Augusta county.

He, from the same committee, reported without amendment,

- ✓ No. 673, Senate bill for the relief of James A. Harvey, a maimed Confederate soldier.

He, from the same committee, reported without amendment,

- ✓ No. 674, Senate bill for the relief of John A. Buchanan, a Confederate veteran, of Augusta county.

He, from the same committee, reported without amendment,

- ✓ No. 678, Senate bill to incorporate the Southside Finance Company of Virginia.

He, from the same committee, reported with amendments,

- ✓ No. 692, Senate bill for the relief of Mrs. James T. Gallier, the widow of a Confederate soldier.

He, from the same committee, reported without amendment,

- ✓ No. 705, Senate bill for the relief of R. T. Sears, one of the securities of John H. Sears, late treasurer of Mathews county.

He, from same committee, reported,

- ✓ No. 719, Senate bill to put on the pension list the name of J. W. Lawhorn, a wounded Confederate soldier, of Bedford county.

✓ He, from the same committee, reported,
✓ No. 709, Senate bill to place on the pension list the name of J. N. Craghead, a wounded Confederate soldier, of Bedford county.

✓ He, from the same committee, reported with amendments,
✓ No. 339, House bill to regulate and license pawnbrokers, and to regulate junk dealers and dealers in second-hand personal property in the cities of Virginia and county of Henrico.

✓ He, from the same committee, reported with the recommendation that it be referred to the committee on fish and game,

✓ No. 463, House bill to amend and re-enact section 3, chapter 743, of the Acts of Assembly of 1893-'94, in relation to the time of assessing for taxation of oysters and shells, changing the time from February 1st to November 1st, was taken up, the committee's recommendation agreed to, and ordered to be so referred.

✓ He, from the same committee, reported without amendment,
✓ No. 569, House bill for the relief of M. P. Fulcher, of the county of Floyd.

✓ He, from the same committee, reported without amendment,
✓ No. 592, House bill entitled an act to allow W. J. Woods, treasurer of Giles county, and his deputies further time for collecting uncollected taxes in Giles county.

✓ He, from the same committee, reported without amendment,
✓ No. 631, House bill entitled an act providing for the enlargement of the library room of the court of appeals in the State library building, in the city of Richmond.

✓ He, from the same committee, reported without amendment,
✓ No. 677, House bill entitled an act to amend and re-enact section 3537 of the Code, relative to allowance to deputy sergeants of certain cities.

✓ And he, from the same committee, reported without amendment,
✓ No. 690, House bill entitled an act to allow J. J. Darden, ex-treasurer of Southampton county, and all his deputies, further time for collecting taxes in Southampton county.

✓ Mr. SANDS, from the committee on general laws, reported with amendments,
✓ No. 658, Senate bill to incorporate the Virginia Electrical Power and Light Company.

✓ He, from the same committee, reported without amendment,
✓ No. 700, Senate bill to permit Dr. W. C. Berry to practice dentistry in Virginia.

✓ He, from the same committee, reported with amendments,
✓ No. 637, Senate bill to incorporate the Mount Vernon Military Institute.

✓ He, from the same committee, reported with amendments,
✓ No. 481, Senate bill to amend and re enact the 3d subdivision of section 1, section 3, section 4, section 5, section 6, of an act of the General Assembly of Virginia, approved February 22, 1894, entitled an act to regulate the practice of medicine and surgery in the State of Virginia.

He, from the same committee, reported without amendment,

- ✓ No. 493, House bill to authorize the United States government to acquire title to and jurisdiction over certain lands at Cape Henry and Cape Charles, Virginia, for the purpose of fortifications and coast defence.

He, from the same committee, reported without amendment,

- ✓ No. 486, House bill to remove the political disabilities of W. P. Bugg.

He, from the same committee, reported with an amendment,

- ✓ No. 594, House bill to allow James Lemuis Shoemaker to change his name.

He, from the same committee, reported with an amendment,

- ✓ No. 638, House bill entitled an act to authorize Frank Tunstall Clark, of Norfolk, to change his name.

He, from the same committee, reported without amendment,

- ✓ No. 298½, House bill to authorize the governor to appoint a board of commissioners for the promotion of the uniformity of legislation in the United States.

And he, from the same committee, reported with the recommendation that it do not pass,

- ✓ No. 621, House bill to regulate the size of barrels used for shipment of agricultural products, commonly called truck.

Mr. MAYNARD, by leave, presented

- ✓ No. 711, Senate bill to amend and re-enact section 7 of an act entitled an act to establish an additional court for the city of Norfolk, and to define its jurisdiction, approved February 12, 1894; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. MUSHBACH, by leave, presented

- ✓ No. 712, Senate bill to amend and re-enact section 33 of an act entitled an act to amend the charter of the city of Alexandria, approved February 20, 1871, as amended by an act approved March 22, 1871, and by an act approved the 17th day of March, 1876, and by an act approved March 20, 1877, and by an act approved January 25, 1879; and by an act approved February 25, 1892, and by an act approved March 8, 1894; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor) placed on the calendar.

Mr. MUSHBACH, by leave, presented

- ✓ No. 713, Senate bill to amend and re-enact section 40 of an act entitled an act to amend the charter of the city of Alexandria, approved February 20, 1871, as amended by an act approved March 22, 1871, and by an act approved the 17th day of March, 1876, and by an act approved March 20, 1877, and by an act approved January 25, 1879, and by an act approved March 1, 1888, and by an act approved February 25, 1892, and by an act approved March 8, 1894; which, on his motion, was read the first, ordered to be read a second

time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. LITTLE, by leave, presented

- ✓ No. 714, Senate bill to amend and re-enact section 14 of an act entitled an act to provide for the working and keeping in repair the public roads in the county of Louisa, approved February 29, 1892; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. BOYKIN, by leave, presented

- ✓ No. 715, Senate bill to amend and re-enact section 3508 of the Code of Virginia, in reference to the fees of sheriffs, constables, sergeants, criers, and coroners; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. WITHERS, by leave, presented

- ✓ No. 716, Senate bill to repeal an act entitled an act to charter and incorporate the town of Neapolis, in Pittsylvania county, Va., approved March 2, 1894; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. BOYKIN, by leave, presented

- ✓ No. 717, Senate bill to amend and re-enact independent section 11 of an act entitled an act to amend and re-enact sections 2131, 2132, 2134, 2135, 2137, 2148, 2151, 2153, and to repeal sections 2141, 2142, 2143, 2144, 2145, and 2147 of chapter 97 of the Code of Virginia, in relation to oysters, and to add independent sections thereto, approved February 25, 1893; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. MASON, by leave, presented

- ✓ No. 718, Senate bill to amend and re-enact sections 5 and 10 of an act entitled an act to provide for the working of the roads in King George county, approved February 29, 1892, as amended and re-enacted by an act entitled an act to amend and re-enact sections 5, 6, and 10 of an act entitled an act to provide for the working of the public roads in King George county, approved February 26, 1894; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. MASON, by leave, presented

- ✓ No. 719, Senate bill to incorporate the Northern Neck Mutual Union, in Westmoreland county, Va.; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. MUSHBACH (by request), by leave, presented

- ✓ No. 720, Senate bill to incorporate the Virginia Transit Company, and to authorize it to engage in mining, manufacturing, and

storage; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. MASON, by leave, presented

- ✓ A petition of S. W. Griffin and other merchants, asking that the statute of limitations, relating to retail store accounts, &c., be extended; which, on his motion, was referred to the committee for courts of justice.

Mr. SNEAD, by leave, presented the following joint resolution:

- ✓ Resolved, by the Senate (the House of Delegates concurring), That on the 27th instant, at the hour of one o'clock, the two houses will proceed to the election of a judge of the county court of Princess Anne, to fill the vacancy caused by the resignation of Judge J. M. Heeling, was taken up, and on his motion (the rules being suspended therefor), agreed to, and on his further motion, he was ordered to inform the House of Delegates thereof.

Mr. BROWN, by leave, presented the following resolution:

- ✓ Resolved, That the clerk of the Senate be directed to issue to William Wilson, janitor of the Senate, his certificate for \$4 per week, during the session, for the purpose of paying his assistant; which, on his motion, was agreed to.

Mr. BROWN, by leave, presented the following resolution:

- ✓ Resolved, That the clerk of the Senate be, and he is hereby authorized to retain in his employment, at a salary not exceeding \$50 per month, William Wilson, as custodian of the Senate chamber and furniture, and of the public documents, to be paid out of the treasury on the certificate of the clerk of the Senate; which, on his motion, was agreed to.

Mr. TREDWAY, presented the following resolution:

- Resolved, That the chair be vacated at three P. M., and resumed at four thirty P. M., and that only bills which create no discussion, shall be considered; which was agreed to by the following vote—ayes, 16; noes, 13:

AYES—Messrs. Barnes, Claytor, Clement, Flood, Green, Jones, Jordan, Mason, McCune, Parr, Sands, Southall, Tredway, Turnbull, Williams, and Withers—16.

NOES—Messrs. Brown, Echols, Flanagan, Hay, Keezell, LeCato, Little, Lovenstein, Maynard, Morris, Mushbach, Stubbs and Wickham—13.

Mr. KEEZELL moved that the committee on roads and internal navigation be discharged from the further consideration of House bill 212, requiring railroads to fence their road beds, &c., which was rejected by the following vote—ayes, 12; noes, 16:

AYES—Messrs. Buchanan, Claytor, Flanagan, Hay, G. W. Jackson, Keezell, McCune, Parr, Southall, St. Clair, Turnbull, and Withers—12.

NOES—Messrs. Brown, Clement, Echols, Flood, Green, Jones, Jordan, Little, Lowry, Maynard, McIlwaine, Sands, Snead, Stubbs, Wickham, and Williams—16.

Mr. LITTLE, from the committee on privileges and elections, made a report from the committee in the contested election case of Parrish *vs.* Flanagan, which was agreed to, and is as follows:

The Committee on Privileges and Elections have carefully considered the papers in the contested-election case of F. M. Parrish *vs.* W. M. Flanagan, touching the election in the Sixteenth Senatorial District.

THE GROUNDS OF CONTEST.

The contestant claims the seat now occupied by W. M. Flanagan upon the following grounds:

1. That the whole vote at the Third Ward Precinct in the city of Manchester was illegal and should be rejected, for the reasons that five or six official ballots were distributed and voters were instructed thereby how to vote.

2. That the whole vote at Rocketts Precinct, in Goochland county, was also illegal, because a crowd assembled on election-day between the booth and the voting-place, and several persons peeped into the booth while the voter was preparing his ballot.

3. That the whole vote cast at Smith's Cross-Roads Precinct, in Powhatan county, on said day was illegal, because W. M. Flanagan, contestee, administered the oath to the judges of election, and because the constable feature was removed at the instance and upon threats and intimidation of said contestee and his friend, J. Haskins Hobson, and the said J. Haskins Hobson was promptly appointed constable, and conducted the business assigned him illegally and corruptly.

4. That the vote at Goochland Court-house was illegal, because one of the judges attended a funeral during the day.

5. That at Ford's Store Precinct, one of the clerks of election traded places with Wade, the constable, and Wade (constable) acted as judge, and Woodward (judge) acted as constable.

CARELESS. BUT NOT FRAUD.

In regard to the first alleged irregularity, it was demonstrated that the putting out of five or six of the official ballots at the Third Ward in Manchester was an error, and that they were recalled as soon as discovered. Fraud cannot be presumed, and while it was a gross piece of carelessness in the judges to permit the official ballots to pass into the hands of any one except the voter desiring to vote, it was not sufficient, in the absence of fraud, to throw out the poll.

Touching the second alleged irregularity, there seems no doubt of the fact that during a portion of the day a crowd was permitted to gather within forty feet of the polling-place at Rocketts Precinct, in Goochland. While this conduct was a violation of the provisions of the law on the subject, it did not appear in evidence that the failure to comply with said provisions had hindered any who were entitled from exercising the right of suffrage, and the vote at said precinct should not be discarded.

The objection raised in the fourth and fifth grounds of contest are not sufficient to have disturbed the result—certain formalities were not complied with, and, in the absence of fraud, these formalities should be regarded as directory, and not affect the actual interests of the election.

ALL SAVORS OF FRAUD.

In regard to the third ground of contest, the charge is more serious. There seems to have been no charge whatsoever against Constable Fariss. He was evidently intimidated and asked to resign, because of the earnest desire on the part of the contestee, W. M. Flanagan, and one J. Haskins Hobson, chairman of the Populist party in the State, to take charge of the booth. Mr. Fariss was decapitated and Mr. Hobson installed. The result of the election at this precinct gave the contestee 182 majority. Every irregularity charged in connection with the conduct of this election at Smith's Cross-Roads Precinct, in Powhatan county, savors of fraud; but the committee has no definite proof thereof. The law re-

quires the constable to be appointed by the Electoral Board. The power of removal is with that board that appoints, or with the judges of election for cause on election day. And no charge being made against the constable (Fariss), there seemed no reason whatever to remove him, except for the purpose of placing Mr. J. Haskins Hobson in charge. But as to how far his conduct affected the result, the committee had no proof. Judge Cooley says: "Where a party contests an election on the ground of these and similar irregularities (referring to matters of form, etc.), he ought to aver and be able to show that the result was affected by them;" and while these irregularities seem to have been occasioned by the party seeking to derive a benefit from them, and the entire proceedings at this precinct touching the removal of the constable (Fariss) and the appointment of J. Haskins Hobson was without authority of law, the principle is settled, however, that "if the votes of the citizens are freely and fairly deposited at the time and place designated by law, the calculation and design of the election are accomplished. It is the will of the electors thus expressed that gives the right to the office, and the failure of the officers to perform a mere ministerial duty in relation to the election cannot invalidate it, if the electors had actual notice, and there was no fraud, mistake, or surprise."

NOT AFFECT THE RESULT.

If the vote at Smith's Cross-Roads was rejected, the general result would not be affected, and, however reprehensible the removal of Fariss and the appointment of Hobson may be, in the absence of proof of fraud, the committee does not think that the voters at that precinct should be deprived of their rights because of the conduct of the parties referred to.

The committee, therefore, recommends the adoption of the following resolutions:

1. *Resolved*, That F. M. Parish was not elected, and is not entitled to a seat in the Senate from the Sixteenth Senatorial District.
2. *Resolved*, That W. M. Flanagan was elected, and is entitled to a seat in the Senate from the Sixteenth Senatorial District.

WILLIAM A. LITTLE, JR.,
H. L. MAYNARD,
R. TURNBULL,
R. E. BOYKIN,
H. S. KANE,
GEORGE W. JACKSON.

My personal relations with Mr. Flanagan are such as to render it improper, in my opinion, for me to sit in the case.

H. D. FLOOD.

A message was received from the governor by his private secretary informing the Senate of the resignation of Judge J. M. Keeling, judge of Princess Anne county; which, on motion of Mr. JONES, was laid on the table, and ordered to be printed.

GOVERNOR'S OFFICE,
RICHMOND, VA., FEBRUARY 26, 1896.

To the General Assembly:

I herewith lay before you the resignation of Hon. J. M. Keeling, judge of the county court of Princess Anne county, to take effect immediately upon the election of his successor.

CHAS. T. O'FERRALL, *Governor*.

(*A True Copy*).

PRINCESS ANNE, C. H., VA., FEBRUARY 25, 1896.

Governor Chas. T. O'Ferrall, Richmond, Va.:

My Dear Governor,—I hereby tender my resignation as judge of the county

court of Princess Anne county, the same to take effect, upon the election and qualification of my successor.

I am, yours very truly,
(Signed) J. M. KEELING.

✓ A message was received from the governor by his private secretary making certain appointment of school superintendent in Fredericksburg, which was considered in executive session.

No. 634, Senate bill appropriating the public revenue for the two fiscal years ending, respectively, the 30th day of September, 1896, and the 30th day of September, 1897, being the special order of the day at one o'clock, came up upon the motion of Mr. KEEZELL to reconsider the vote by which the amendment proposed by Mr. WITHERS was agreed to yesterday (and under consideration at the time of adjournment), and was agreed to by the following vote—ayes, 22; noes, 12.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Echols, Green, Hay, Jordan, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Mushbach, Sands, Snead, Stubbs, Turnbull, Wickham, and Williams—22.

NOES—Messrs. Claytor, Clement, Flanagan, Hale, G. W. Jackson, Jones, McCune, Parr, Southall, St. Clair, Tredway and Withers—12.

✓ Mr. KEEZELL stated that he was paired with Mr. FAIRFAX, who, if he were present, would vote "Aye," and he would vote "No."
The amendment was then rejected.

✓ Mr. WICKHAM moved that the bill be engrossed, and (the rules being suspended therefor) it was ordered to be engrossed and read a third time; and being forthwith engrossed, was, on his further motion (two-thirds concurring), read the third time and passed with its title by the following vote—ayes, 32; noes, 3,

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Green, Hay, G. W. Jackson, Jones, Jordan, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—32.

NOES—Messrs. Claytor, Flanagan and Hale—3.

On his further motion, he was ordered to inform the House of Delegates thereof.

No. 135, Senate bill (special order) in reference to a constitutional convention, was taken up, and was under consideration at 3 P. M., the hour to vacate the chair for the evening session.

EVENING SESSION.

The following Senate bills were taken up, read the third time, and passed with their titles:

- ✓ No. 327, Senate bill to amend and re-enact sections 4080 and 4083 and to repeal section 4082 of chapter 199 of the Code of Virginia, in relation to taxation and allowance of costs in criminal cases.
- ✓ No. 174, Senate bill to amend and re-enact section 3529 of the Code of Virginia, in relation to fees of officers.
- ✓ No. 610, Senate bill to amend and re-enact section 925 of the Code, relating to court-house, clerks' office and jail stationery and furniture.
- ✓ No. 611, Senate bill to amend and re-enact section 774, Code of Virginia, requiring auditor of public accounts to keep accounts against treasurer also of court expenses.
- ✓ No. 548, Senate bill to amend and re-enact section 3251 of the Code of Virginia, relating to forms of actions and declarations on policy of insurance.
- ✓ No. 449, Senate bill to amend and re-enact section 2849 of the Code of Virginia, so as to declare and define what bills, notes, etc., are negotiable and may be protested.
- ✓ No. 309, Senate bill to amend and re-enact sections 2945 and 2949 of the Code as to warrants for small claims.
- ✓ No. 579, Senate bill to punish the illicit traffic in intoxicating liquors in the counties of Wythe, Carroll and Grayson.
- ✓ No. 584, Senate bill to incorporate the Atlantic, Winchester and Western Railroad Company.
- ✓ No. 586, Senate bill to incorporate the Lake Drummond Railway and Hotel Company.
- ✓ No. 629, Senate bill for the prevention of accidents caused by the breaking of the trolley wires on street railways.
- ✓ No. 606, Senate bill to amend and re-enact an act approved February 27, 1894, prescribing the time for holding the circuit courts in the several counties comprising the fifteenth judicial circuit of Virginia.
- ✓ No. 523, Senate bill to incorporate the Broadwater Oyster Association.
- ✓ No. 607, Senate bill to authorize the board of supervisors of Bland county to levy a tax for the purpose of repairing the public roads in said county.
- ✓ No. 654, Senate bill to incorporate the Mount Hebron Cemetery, near Middletown.
- ✓ No. 612, Senate bill to amend and re-enact section 3049 of the Code of Virginia, as amended and re-enacted by an act approved March 5, 1894, entitled an act to amend and re-enact section 3049

of the Code of Virginia, providing when judge of a county or corporation court fails to hold same, what judge may do so; when governor to designate judge to do so; his pay and mileage.

✓ No. 599, Senate bill to authorize the board of trustees of Margaret Academy, in Accomac county, to hold meetings with less than a quorum of its members.

✓ No. 643, Senate bill to incorporate the American Annuity Order of the city of Richmond.

✓ No. 664, Senate bill to amend and re-enact sections 1 and 2 of an act to incorporate the town of Dayton, Rockingham county, approved March 9, 1880, as amended by an act entitled an act to amend and re-enact an act to incorporate the town of Dayton, approved March 9, 1880, and all acts amendatory thereof, approved February 29, 1892, and to add an independent section empowering the town council of said town to negotiate a loan not to exceed five thousand dollars.

✓ No. 668, Senate bill to amend and re-enact section 8 of an act entitled an act incorporating the town of Barton Heights, in Henrico county, approved January 30, 1896.

✓ No. 671, Senate bill to amend and re-enact an act entitled an act fixing the time for holding courts in the third judicial circuit, approved February 20, 1890.

✓ No. 675, Senate bill providing for the working, opening and keeping in repair the roads in the county of Cumberland, and for the building and keeping in repair the bridges in said county.

✓ No. 676, Senate bill to amend section 7 of an act entitled an act incorporating the Masonic Home of Virginia, approved January 7, 1890.

✓ No. 441, Senate bill directing the auditor of public accounts to place the name of Andrew Austin on the pension list.

✓ No. 642, Senate bill to incorporate the Holston Oil and Manufacturing Company.

✓ No. 641, Senate bill to incorporate the Norfolk Lumber Company.

✓ No. 669, Senate bill to require a uniform rate of charges for telephone service in the State of Virginia.

✓ No. 552, Senate bill to pay district school trustees of Rockbridge county.

✓ No. 602, Senate bill to provide for making and keeping in repair roads and bridges in the county of Charles City.

✓ No. 625, Senate bill to amend and re-enact section 70 of the Code of Virginia, in relation to the pay of electoral boards.

✓ No. 630, Senate bill to authorize and empower the city of Danville, Virginia, to extend its water main and pipes to the Danville Military Institute, in Pittsylvania county, Va., and supply the same with city water.

✓ No. 652, Senate bill providing for working public roads in Prince Edward county.

- ✓ No. 655, Senate bill to increase the number of governors for the Masonic Home of Virginia.
- ✓ No. 683, Senate bill to amend and re-enact an act approved February 26, 1886, entitled an act to authorize the road board of Central district, in Rockingham county, to establish a toll gate on the Dry river road, in said county.
- ✓ No. 682, Senate bill to incorporate the Citizens' League of America.
- ✓ No. 684, Senate bill to authorize the council of the town of Waverley to establish cemeteries or burial-places within or without said town, and to validate a certain deed conveying land to said town for that purpose.
- ✓ No. 689, Senate bill to amend and re-enact section 1 of a charter granted to the Chase City Mineral Water and Development Company, on the 16th day of June, 1890, by the judge of the circuit court of Mecklenburg county, in vacation.
- ✓ No. 693, Senate bill to amend and re-enact section 2 of the charter of the town of Chatham, in Pittsylvania county, as amended by an act entitled an act to amend the charter of said town, approved April 24, 1874, as further amended by an act entitled an act to amend and re-enact second section of an act entitled an act to amend the charter of said town, approved March 1, 1875; was taken up, read the third time, and passed with its title.

On motion of Mr. TREDWAY, he was ordered to inform the House of Delegates thereof.
- ✓ No. 647, Senate bill to amend and re-enact an act entitled an act providing a charter for the town of Harrisonburg, in force July 9, 1870, as amended by sundry subsequent acts, was taken up, read the third time, and passed. On motion of Mr. KEEZELL, the title was amended so as to read as follows: "An act to amend and re-enact an act approved January 9, 1870, and to amend and re-enact an act approved March 21, 1877, and to amend and re-enact an act approved February 17, 1890, and to amend and re-enact an act approved January 29, 1894, relating to the charter of the town of Harrisonburg."
- ✓ No. 670, Senate bill to amend and re-enact section 1 of an act entitled an act to authorize certain persons, when arrested or convicted, to be committed to the custody of the Prison Association of Virginia, approved March 4, 1890, was taken up, read the third time, and passed with its title by the following vote—ayes, 32; noes, none.

AYES.—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Williams and Withers—32.

NOES—None.

- ✓ No. 485, Senate bill for the relief of Dulaney Malone, a Confed-

erate veteran, of Washington county, was taken up, read the third time, and passed with its title by the following vote—ayes, 31 ; none.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Williams, and Withers—31.

AYES—None.

✓ No. 504, Senate bill for the relief of Samuel P. Mosely, a disabled Confederate soldier, was taken up, read the third time, and passed with its title by the following vote—ayes, 31 ; noes, none.

AYES—Messrs. Barnes, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—31.

NOES—None.

✓ No. 393, Senate bill for the relief of Mrs. E. S. Howard, widow of a Confederate soldier, was taken up, read the third time, and passed with its title by the following vote—ayes, 31 ; noes, none.

AYES—Messrs. Barnes, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—31.

NOES—None.

✓ No. 323, Senate bill for the relief of J. E. Allbrook, a wounded Confederate soldier, of Prince Edward county, Va., was taken up, read the third time, and passed with its title by the following vote—ayes, 33 ; noes, none.

AYES—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McCune, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—33.

NOES—None.

✓ No. 171, Senate bill for the relief of George W. Bledsoe, of Madison county, Va., was taken up, read the third time, and passed with its title by the following vote—ayes, 33 ; noes, none.

AYES—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McCune, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—33.

NOES—None.

✓ No. 79, Senate bill to allow a pension to Susan A. Rickman, of

Halifax county, was taken up, read the third time, and passed with its title by the following vote—ayes, 33; noes, none.

AYES—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McCune, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—33.

NOES—None.

- ✓ No. 148, Senate bill to allow a pension to Sarah Right, of Patrick county, was taken up, read the third time, and passed with its title by the following vote—ayes, 32; noes, none.

AYES—Messrs. Barnes, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McCune, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Tredway, Turnbull, Wickham, Williams and Withers—32.

NOES—None.

- ✓ No. 66, Senate bill for the relief of William Gunter, disabled Confederate soldier, of Patrick county, was taken up, read the third time, and passed with its title by the following vote—ayes, 31; noes, none.

AYES—Messrs. Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McCune, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Tredway, Turnbull, Wickham, Williams and Withers—31.

NOES—None.

- ✓ No. 23, Senate bill for the relief of Mrs. Elizabeth Covington, widow of a Confederate soldier, was taken up, read the third time, and passed with its title by the following vote—ayes, 31; noes, none.

AYES—Messrs. Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McCune, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Tredway, Turnbull, Wickham, Williams and Withers—31.

NOES—None.

- ✓ No. 571, Senate bill for the relief of J. H. Wingfield, was taken up, read the third time, and passed with its title by the following vote—ayes, 31; noes, none.

AYES—Messrs. Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McCune, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Tredway, Turnbull, Wickham, Williams, and Withers—31.

NOES—None.

- ✓ No. 559, Senate bill to relieve Robert H. Armistead, a disabled

Confederate soldier, of Cumberland county, Virginia, was taken up, read the third time, and passed with its title by the following vote—ayes, 31; noes, none.

AYES—Messrs. Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McCune, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Tredway, Turnbull, Wickham, Williams and Withers—31.

NOES—None.

✓ No. 636, Senate bill to amend and re-enact the second clause of section 3214 of the Code of Virginia, in relation to the county or corporation in which actions at law or suits in equity may be brought, was taken up, read the third time, and on motion of Mr. MUSHBACH, the vote by which the bill was agreed to be engrossed was reconsidered; on his further motion amended, and as amended ordered to be engrossed (two-thirds concurring), and being forthwith engrossed, was read the third time and passed with its title.

✓ No. 617, Senate bill suspending time of redeeming land sold for delinquent taxes and bought by the auditor in cases where proceedings in equity have been instituted by parties interested in such lands, was taken up, read the third time, and on motion of Mr. MASON, the vote by which the bill was ordered to be engrossed was reconsidered, and, on his further motion, amended, and being forthwith engrossed, on his further motion (two-thirds concurring), passed with its title.

✓ No. 645, Senate bill to incorporate the American Stemming-Machine Company, was taken up, read the third time, and passed with its title.

On motion of Mr. FLOOD, he was ordered to inform the House of Delegates thereof.

✓ No. 631, Senate bill to amend and re-enact an act to confer upon the council of the town of Danville authority to build, purchase, repair, and keep up a free bridge or free bridges across the Dan river, and to confer upon the said corporation the power to increase its bonded indebtedness for public improvements, approved February 24, 1896, as amended and re-enacted by an act entitled an act to amend and re-enact section 2 of an act entitled an act to confer upon the council of the town of Danville authority to build, purchase, repair, and keep a free bridge or free bridges across Dan river, and to confer upon the said corporation power to increase its bonded indebtedness for public improvements, approved April 6, 1887, and to amend the title thereof, was taken up, read the third time, and passed; on motion of Mr. WITHERS, the title was amended.

The following House bills were taken up, read the third time, and passed with their titles:

✓ No. 376, House bill to amend and re-enact section 36 of an act entitled an act to provide for the assessment of taxes, etc., for the sup-

port of government, approved March 6, 1890, as to sale by agents, and add thereto.

- ✓ No. 399, House bill for the relief of J. H. Hickey and H. F. Jackson.
- ✓ No. 371, House bill for the relief of William E. Teasley, dentist.
- ✓ No. 370, House bill for the relief of Dr. S. H. Speer.
- ✓ No. 369, House bill for the relief of John H. Remine, a dentist of Washington county, Va.
- ✓ No. 368, House bill for the relief of James L. Grant, a dentist of Washington county, Va.
- ✓ No. 367, House bill for the relief of J. M. Hill.
- ✓ No. 366, House bill for the relief of W. P. McGinnis, a dentist of Grayson county.
- ✓ No. 471, House bill to authorize the district school board of trustees of Petsworth district, Gloucester county, Va., to sell certain land bought by them but not needed for public school purposes.
- ✓ No. 353, House bill to authorize the president and faculty of Luray College, Luray, Va., to confer certificates of distinction, and to award diplomas.
- ✓ No. 542, House bill to amend and re-enact an act entitled an act to amend and re-enact section 2498 of the Code of Virginia, in relation to entering on record payment or satisfaction of certain incumbrances and liens, approved February 27, 1894.
- ✓ No. 573, House bill to amend and re-enact section 3693, Code of Virginia, as to prize-fighters, how punished, and to prohibit prize-fighting and pugilism and fights between men and animals.
- ✓ No. 689, House bill entitled an act to amend and re-enact sections 15 and 16 of an act entitled an act to incorporate the town of South Boston, in the county of Halifax, approved January 30, 1888.
- ✓ No. 218, House bill to authorize land owners to erect and maintain gates across private roads, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 608, House bill to amend and re-enact section 525 of the Code of Virginia in relation to the collection of fees of the commissioner of the revenue, was taken up, read the third time, committee's amendments agreed to, and passed with its title.
- ✓ No. 334, House bill to amend and re-enact section 2042 of the Code of 1887 as amended by chapter 307 of the Acts of Assembly of 1887-'88, approved March 1, 1888, entitled an act in relation to trespass by cattle, &c., was taken up, read the third time, a substitute proposed by the committee agreed to, and passed with its title.
- ✓ No. 548, House bill to incorporate Virginia Coal and Iron Company, with privileges of constructing and operating railroads, was taken up, read the third time, committee's amendments agreed to, and passed.

On motion of Mr. GREEN, the title was amended.

No. 47, House bill to amend and re-enact an act entitled an act

✓ to require the payment of fees on certain charters, approved February 10, 1890, as amended by an act approved February 28, 1890, and further amended and re-enacted by an act approved January 22, 1894, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

✓ No. 455, House bill to provide for the creation of a Labor Reform Commission for the purpose of investigating how best to employ the convicts confined in the penitentiary and reformatories and prisons in this State other than by contract system, was taken up, read the third time, committee's amendments agreed to, and passed by the following vote—ayes, 30; noes, none.

AYES—Messrs. Boykin, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, Jordan, Kane, Keezell, Little, Lovenstein, Lowry, Mason, Maynard, McCune, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams and Withers—30.

NOES—None.

And title amended.

✓ No. 132, House bill to exempt from taxation the property of Green Hill Cemetery Company, near Berryville, Va., was taken up, read the third time, committee's amendments agreed to, and passed with its title by the following vote—ayes, 26; noes, none.

AYES—Messrs. Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, Morris, Mushbach, Snead, Southall, St. Clair, Tredway, Turnbull, Wickham and Williams—26,

NOES—None.

✓ No. 256, House bill to refund to Gilbert J. Hunt the sum of fourteen dollars and thirty-five cents, erroneously paid by him on church property in the city of Richmond, was taken up, read the third time, and passed with its title by the following vote—ayes, 25; noes, none.

AYES—Messrs. Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, Jordan, Kane, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, Mushbach, Snead, Southall, St. Clair, Stubbs, Tredway, Wickham and Williams—25.

NOES—None.

✓ No. 341, House bill for the relief of W. J. Mills, a disabled Confederate soldier, of Hanover county, was taken up, read the third time, and passed with its title by the following vote—ayes, 30; noes, none.

AYES—Brown, Buchanan, Clement, Echols, Flanagan, Flood, Green, Hay, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, Morris, Mushbach, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams and Withers—30.

NOES—None.

- ✓ No. 523, House bill entitled an act to amend and re-enact section 2071 of the Code in reference to unlawful hunting, &c., on another's land, was taken up, read the third time, committee's substitute agreed to, and passed with its title.

Mr. STUBBS, from the committee on public institutions and education, reported with a substitute,

- ✓ No. 613, Senate bill to amend and re-enact sections 1586 and 1592 of the Code of Virginia, in relation to the Virginia Agricultural and Mechanical College.

Mr. JONES, from the committee for courts of justice, reported without amendment,

- ✓ No. 687, House bill entitled an act to amend and re-enact section 1 of an act entitled an act to prescribe the time for holding the courts in the Eighth judicial circuit, approved February 27, 1894.

Mr. SNEAD, by leave, presented

- ✓ No. 721, Senate bill to amend and re-enact section 1969 of the Code of Virginia, with regard to the rates of pilotage; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. BARNES, by leave, presented

- ✓ No. 722, Senate bill to provide for working the public highways in Poquoson district, in the county of York; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on county, city and town organizations.

- ✓ Mr. BARNES, by leave, presented the following petition from the citizens of York county; which, on his motion, was referred to the committee on fish and game.

Mr. TREDWAY, presented the following resolution:

Resolved, That the rule requiring bills to lie in the clerk's desk two days after their passage, before being communicated to the House be suspended for the balance of the session, which was agreed to.

- ✓ On motion of Mr. BOYKIN the joint resolution in reference to the electoral board of Warwick county, which was reconsidered was referred to the committee on privileges and elections.

On motion of Mr. LITTLE the Senate resolved itself into executive session and having dispatched the business before them, the doors were opened, and the following resolution adopted in executive session (the injunction of secrecy being removed), was ordered to be spread upon the journal of the Senate, and a copy thereof forwarded to the board of education:

- ✓ Resolved, That the Senate advise and confirm the nomination of B. P. Willis, as superintendent of schools for the city of Fredericksburg, for the unexpired term ending June 30, 1897, to fill the vacancy occasioned by the death of E. M. Crutchfield.

On motion of Mr. HAY, the Senate adjourned until to-morrow, twelve o'clock.

THURSDAY, FEBRUARY 27, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Dr. W. P. Smith.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In the House of Delegates, February 26, 1896.

✓ The House of Delegates has agreed to Senate joint resolution for the relief of James G. Field.

✓ They have passed Senate bills entitled an act to amend and re-enact section 7 of an act entitled an act to amend and re-enact section 2134 of Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 2131, 2133, 2135, 2137, 2148, 2151, 2153, and to repeal sections 2141, 2142, 2143, 2144, 2145, and 2147 of chapter 97 of the Code of Virginia, in relation to oysters, and to add independent sections thereto, approved February 25, 1892, and to amend and re-enact sections 6 and 7 of the said act, approved February 25, 1892, approved March 5, 1894, No. 348; an act to authorize and empower the council of the town of Colonial Beach to borrow money for the use of said corporation, No. 565.

✓ They have passed with amendments, Senate bill entitled an act to fix the compensation of attorneys for the Commonwealth, No. 118.

✓ They have agreed to the amendments of the Senate to House bills entitled an act to amend and re-enact chapter 443 of the Acts of Assembly of 1891-92, page 740, entitled an act to compensate school trustees, other than clerks, in the counties of Campbell, Apomattox, and Buckingham, approved February 29, 1892, so as to include the county of Cumberland, No. 262; and an act to authorize the county court of Buckingham county to establish a public ferry across James river, at or adjacent to Howardsville, between the counties of Buckingham and Albemarle, or Nelson, adjacent to or near to the public ferry already established across said river at said point, No. 428.

✓ They have agreed to the third amendment and disagreed to the first and second amendments of the Senate to House bill entitled an act to amend and re-enact an act, approved February 28, 1894, to regulate the killing or capturing of game in the counties of Alleghany, Bath, Highland, and Augusta, No. 285.

✓ They have passed House bills entitled an act to allow James E. Carruthers, treasurer of Loudoun county, and his deputies, further time in which to collect uncollected tax tickets in their hands and not returned delinquent, No. 655; an act to amend and re-enact section 833, Code of Virginia, as amended and re-enacted by an act approved February 8, 1896, in relation to the powers and duties of

- ✓ boards of supervisors at their annual meetings, No. 728 ; and an act to amend and re-enact an act entitled an act to amend and re-enact section 19 of chapter 1 of an act entitled an act to provide for the assessment of taxes on persons, property, and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a commissioner's certificate is required, approved March 6, 1890, in reference to taxing railroads and other companies, approved February 16, 1892, No. 782.

In which amendments and bills they request the concurrence of the Senate.

- ✓ No. 118, Senate bill to amend and re-enact section 3528 of the Code of Virginia, and to repeal section 3526 of the Code of Virginia, in relation to fees of attorneys for the Commonwealth, was taken up, and the amendment proposed by the House of Delegates agreed to.

- ✓ No. 285, House bill entitled an act to amend and re-enact an act approved February 29th, 1894, to regulate the killing or capturing of game in the counties of Alleghany, Bath, Highland and Augusta, was taken up, twice read, and, on motion of Mr. Jones, passed by.

- ✓ No. 655, House bill entitled an act to allow James E. Carruthers, treasurer of Loudoun county, and his deputies, further time in which to collect uncollected tax tickets in their hands and not returned delinquent, was taken up, twice read, and referred to the committee on finance and banks.

- ✓ No. 728, House bill entitled an act to amend and re-enact section 833, Code of Virginia, as amended and re-enacted by an act approved February 8, 1896, in relation to the powers and duties of boards of supervisors at their annual meetings, was taken up, twice read, and referred to the committee on finance and banks.

- ✓ No. 782, House bill entitled an act to amend and re-enact section 19 of chapter 1 of an act entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining license to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a commissioner's certificate is required, approved March 6, 1890, in reference to taxing railroad and other companies, approved February 16, 1892, was taken up, twice read, and referred to the committee on finance and banks.

Mr. FLOOD, from the committee on fish and game, reported with an amendment,

- ✓ No. 111, House bill to protect game in the county of Bedford.

He, from the same committee, reported with amendments,

- ✓ No. 268, House bill to amend chapter 192, acts 1893-'94, entitled an act for the protection of certain game in Roanoke county.

He, from the same committee, reported without amendment,

- ✓ No. 585, House bill to amend and re-enact the law for the protection of game in Shenandoah county, Virginia.

He, from the same committee, reported without amendment,

- ✓ No. 627, House bill for the protection and preservation of certain fish in the Potomac river.

He, from the same committee, reported without amendment,

- ✓ No. 669, House bill to amend and re-enact an act approved February 4, 1892, entitled an act to amend and re-enact an act approved December 19, 1891, entitled an act to amend and re-enact chapter 129, extra session, 1887, for the protection of terrapin.

He, from the same committee, reported with amendments,

- ✓ Joint resolution to appoint a committee to examine and report on the oyster laws and fish laws in the tidal water of Virginia.

He, from the same committee, reported with an amendment,

- ✓ A resolution to appoint a committee to investigate and report upon a certain survey made under an act approved February 26, 1894, with reference to the riparian rights on Fox Island, in Accomac county.

He, from the same committee, reported with amendments, and with recommendation that it do not pass,

- ✓ No. 465, Senate bill to promote oyster culture in Chesapeake Bay.

He, from the same committee, reported with amendments,

- ✓ No. 466, Senate bill to encourage the oyster industry of the Commonwealth.

He, from the same committee, reported without amendment,

- ✓ No. 486, Senate bill to protect sturgeon in the James river and its tributaries.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 627, Senate bill to authorize the governor to advertise for bds and enter into a lease of all the natural oyster rocks, beds and shoals in the waters of Virginia.

And he, from the same committee, reported with amendments,

- ✓ No. 650, Senate bill to amend and re-enact section 2109, Code of Virginia, relating to penalty for unlawful fishing.

Mr. ECHOLS, from the committee on roads and internal navigation, reported with a substitute,

- ✓ No. 164, Senate bill to legalize and validate the organization and corporate existence of the Washington, Arlington and Falls Church Railway Company, declaring the same to be a body politic and corporate, and the successor to the Washington and Arlington Railway Company of the District of Columbia, in the State of Virginia, and to be entitled to and the possessor of the rights and privileges,

easements, franchises, property and estate of that company in the State of Virginia, and to validate and confirm the capital stock created in the said The Washington, Arlington and Falls Church Railway Company, and the mortgage debt created under and made by it.

And he, from the same committee, reported with a substitute, being same as to Senate bill 164,

- ✓ No. 165, Senate bill to grant certain powers to the Washington, Arlington and Falls Church Railway Company.

The committee on public institutions and education presented

- ✓ No. 724, Senate bill to amend and re-enact section 4163 of the Code of Virginia, as amended and re-enacted by an act of assembly approved February 19, 1892, as to moneys of the penitentiaries; when deposited.

The committee on public institutions and education presented

- ✓ No. 723, Senate bill to amend and re-enact section 4158 of Code of Virginia, in relation to clerk of penitentiary, his duties, and regulating his pay.

Mr. MUSHBACH, from the committee on county, city, and town organizations, reported without amendment,

- ✓ No. 398, House bill to prohibit the several cities and towns of the Commonwealth from imposing and collecting any tax, fine or other penalty upon persons selling their own farm and domestic product within the limits of any such town or city outside of and from under the regular market-houses and sheds of such towns and cities.

Mr. SANDS, from the committee on general laws, reported with amendments,

- ✓ No. 600, Senate bill to incorporate the Richmond Water-Power Company.

He, from the same committee, reported with amendments,

- ✓ No. 633, Senate bill to incorporate the Virginia Water-Power Company.

He, from the same committee, reported with amendments,

- ✓ No. 694, Senate bill to incorporate the Capitol Electric Company.

And he, from the same committee, reported without amendment,

- ✓ No. 700, Senate bill to permit Dr. W. C. Berry to practice dentistry in Virginia.

Mr. MORRIS, by leave, presented

- ✓ No. 725, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 3828 of the Code of Virginia in relation to the sale of intoxicating liquors to minors or certain students, approved February 5, 1896; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. TREDWAY, by leave, presented

- ✓ No. 726, Senate bill to repeal so much of an act approved April 2, 1879, as amended by an act approved February 16, 1880, in reference to school districts as applies to certain districts; which, on his

motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. BUCHANAN, by leave, presented

No. 727, Senate bill to authorize the superintendents of the insane hospitals of the State to grant furloughs to certain patients; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. BUCHANAN (by request), by leave, presented

No. 728, Senate bill for the relief of Dr. R. F. Goodman, of Washington county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on general laws.

Mr. LOVENSTEIN, by leave, presented

No. 729, Senate bill to renew the charter granted the Lynchburg and Southwestern Development Company, approved March 5, 1890, and amended March 4, 1892, changing its name to the Virginia Land Investment and Development Company, and to re-enact sections 2 and 6 of said act; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. WICKHAM, by leave, presented the following resolution:

Resolved, That the clerk of the Senate be, and he is hereby, authorized to issue his certificate to the sergeant-at-arms, doorkeeper, janitor, assistant clerks and committee clerks for the sum of \$50 each, and to the pages for the sum of \$25 each, additional compensation for the present session.

Mr. ST. CLAIR, from the committee to examine executive expenditures, presented the following report:

To the President of the Senate:

Your committee on executive expenditures have examined the books and accounts kept in connection with the expenditures of the executive, and find that of an aggregate appropriation of \$20,000 for the years 1894 and 1895 there remains in the treasury the sum of \$3,310. The books and accounts appear to have been properly kept.

A. ST. CLAIR (*Chairman*),
M. H. CLAYTOR,
H. T. WICKHAM.

Which, on motion of Mr. MORRIS, was ordered to be spread on the journal.

Mr. MAYNARD, chairmain of the joint library committee, presented the following report:

SENATE CHAMBER,
RICHMOND, VA., February 27, 1896.

To the General Assembly of Virginia:

The joint committee on the library would respectfully report that they have examined the accounts of Hon. Joseph T. Lawless, general librarian. They

find his accounts of receipts and disbursements properly kept and sustained by proper vouchers.

They herewith submit the report of the librarian and that of Mr. John H. Moore on work done on the historical manuscripts.

They also submit the report of the sub-committee appointed to investigate the sale of certain worthless books.

Respectfully submitted,

H. MAYNARD,

Chairman Joint Library Committee.

To the Joint Library Committee:

As required by section 254 of the Code of 1887, I respectfully append hereto a report of receipts and disbursements on account of the library fund to January 1, 1896.

Since the last report the new library building has been completed and furnished with the most approved metal book-stacks, and the books removed thereto from the capitol. The work of classifying and arranging the large number of volumes was done under the supervision and direction of Mr. W. W. Scott, the efficient officer in charge of the library, who was assisted therein by Mr. A. M. Tyler, night-assistant, and Mr. Watkins Norvell, special clerk. During the prosecution of this onerous work, which required about three months in its performance, there was a necessary interruption of business, and the library, as directed by the joint committee of the last session of the General Assembly, was closed to the public.

To those acquainted with the congested state of the library in its old quarters, hundreds of volumes of which were placed on the floor for want of shelf-room, and the tediousness and difficulty attending the removal and classification of so large a number of books, the admirable manner in which the work has been performed will be highly commendatory. Under the direction of the State Board of Building Commissioners, which overlooked the erection and furnishing of the new building, various public libraries at the north were inspected with a view to securing the best and most approved devices for the storage and the cataloguing of books; as a result of which the board adopted the system of shelving known as Green's Patent,—being that in use in the New Congressional Library, at Washington—and the method of cataloguing known as the card-system.

It was found by the board that the appropriation at its disposal would not justify it in ordering the purchase of the card catalogue, the lowest bid for which was about \$500. As a consequence of this fact, no catalogue has yet been made. By reason of the scientific classification of the books, and the familiarity with the system employed which the officers in charge enjoy, no inconvenience is experienced for the time by the absence of this essential adjunct to every library. However, the imperious necessity of providing one at the earliest practical moment, is too patent to require argument, and too important to admit of delay. To that end, therefore, I respectfully urge your committee to take action. In doing so, you will have the co-operation of the State Board of Building Commissioners, who will, in their report, recommend this purchase, together with that of a show-case for the safer display of the relics in the library. The board was only deterred from procuring them because the appropriation at their command proved insufficient for the purpose.

In compliance with an order of the joint library committee, made two years ago, the library is being now kept open to the general public from 9 A. M. until 3 P. M., and from 7 P. M. until midnight. As empowered by the third section of an act approved March 8, 1894, I have appointed a night assistant to the acting librarian, whose salary is fixed and paid by the council of the city of Richmond, and who has charge of the library during the hours it is required to be kept open at night.

The work of preparing the Virginia historical manuscript for publication continues along the same line followed by my predecessor in office, a report of which is annexed hereto.

A committee of the Virginia Historical Society has waited on me to recommend as the next publication in the calendar papers the records of the Virginia Company in London. The Historical Society possesses a copy of these records, which was made about 1730 for Sir John Randolph, and used by Stith in preparing his uncompleted History of Virginia. The original records of the Company are believed to be lost, and no other unpublished manuscript containing as much valuable matter pertaining to the early history of Virginia is believed to exist. Its

publication is urged by the Virginia Historical Society and by historical students, and in my judgment it should constitute the next volume of the Calendar.

Finally, I beg leave to call your attention to a large number of Government publications, in broken sets, now stored in a room on Main street for lack of accommodation in the library. Several months ago, upon the recommendation of the officer in charge of the library, approved by the respective chairman of the House and Senate Committees on the Library, these books were offered for sale at public auction, by the pound, after diligent effort had been made to dispose of them privately to the book-stores, and proved fruitless.

Before their removal by the purchaser, an injunction to restrain such action was applied for by Mr. Chas. Poindexter, of Richmond, upon various grounds. Among them, that the sale was without warrant of law and that the books themselves are of great value. Though the Attorney-General, whom I consulted before attempting to remove the books, appeared in court and defended the legality of the sale, it was deemed best by me to submit the question of the expediency and propriety of their disposition to your committee. In this view, I was supported by the court.

The books are, accordingly, now stored at public expense. His Excellency, Governor O'Ferrall, up to this time, paying the rent for such storage out of his contingent fund. He has notified me, however, that he no longer feels justified in so taxing this fund, and I therefore respectfully ask, that your committee either order their sale or provide for their proper keeping.

Respectfully submitted,

J. T. LAWLESS,
S. of C. and G. L.

LIBRARY FUND.

Statement of Receipts and Expenditures, 1894-1895.

RECEIPTS.

Balance from last settlement.....	\$2,316 90
Return premium on insurance policies.....	627 70
Sales (exclusive of W. J. & Co. bal.).....	4,338 22
Sale \$6,000 Va. 3% bonds.....	4,282 90
Interest on Library Fund.....	90 00

DISBURSEMENTS

Insurance.....	\$2,889 15
Binding.....	125 15
Portraits and relics.....	600 00
Subscription.....	201 08
Purchase.....	2,230 09
Calendar.....	1,829 00
Expense.....	1,210 44
Commissions on sales and exchanges.....	663 67
Balance on hand per C. B.....	1,907 14
	<hr/>
	\$11,655 72 \$11,655 72

Bills receivable, secured by land.....	\$1,000 00
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REPORT ON HISTORICAL MANUSCRIPTS

RICHMOND, VA., *December 31st, 1895.*

To the Honorable J. T. LAWLESS,
Secretary of the Commonwealth.

SIR:

I have the honor to submit the following report of work done in copying the historical archives for publication in the Calendar of State Papers, since the date of the last report:

Beginning with the letter-book of Governor William H. Cabell, in 1807, there has been copied everything deemed of historical interest in the letter-books of

Governors Tyler, Monroe, Smith, Randolph, Barbour, Nicholas, Preston, Randolph, Pleasant, Jr., Giles, Floyd, Tazewell, Robertson, Campbell, Gilmer, Patton, Rutherford, Gregory, McDowell and Smith.

I am now engaged on that of Governor John B. Floyd.

Number of manuscript pages, beginning with the year 1807, to 1848, both inclusive, 2,261

Very respectfully,

JOHN H. MOORE,
Clerk.

REPORT OF SUB-COMMITTEE ON SALE OF CERTAIN BOOKS.

To the Joint Library Committee:

The sub-committee to whom was referred the examination of the accounts of the Hon. Joseph T. Lawless, general librarian, would respectfully report that they have examined the accounts of the said librarian, and find that the account of his receipts and disbursements have been properly kept and are sustained by all proper receipts and vouchers.

The report of the librarian, together with his receipts for his disbursements and expenditures, are herewith returned.

Your sub-committee, who, at the request of the librarian, were required to investigate and report the facts and circumstances connected with the sale, or proposed sale, at public auction, of certain books belong to the State library, would further report that they have personally inspected the same—so far as it was practical to do so—and have examined witnesses and taken testimony in reference to their character.

Your committee ascertain and report that the said books, so exposed to sale as aforesaid, were a part of the contents of the second gallery of the old library; that by far the larger portion thereof are surplus annual reports of the State of Virginia, similar reports of other States, many volumes of old United States statutes at large, in paper backs, and various government publications of like character, none of which had ever been deemed of sufficient value to be placed on the catalogue of the library.

That many of said books remained in the original sacks in which they had been received, many of them stored in inaccessible places, and few of them prior to the proposed sale even accessible to examination or demand.

That upon the removal of the library to the new library building, the librarian was required by the legislative committee to whom was entrusted the duty of remodelling the old library, that the same might be used by the General Assembly for committee rooms, to remove said books. There being no shelf room in the new library, and no place for the storage of the same, the said librarian was forced to store the said books in the old City Hall at an expense of \$12.50 per month. That the said books were carefully gone over and examined by the librarian and assistant librarian, and after consultation with several members of the Library Committee it was decided to sell the said books, as had been done by a previous administration with a former surplus lot.

That the said librarian having unsuccessfully endeavored to dispose of the same at private sale, advertised them to be sold at public auction, and in addition notified dealers in this class of books of said sale and invited their attendance, in consequence of which several dealers did attend, among them Mr. Chas. E. Soule, of the Boston Book Company—an eminent authority and president of the largest book concern in this country—the limit of whose bid was sixty cents per hundred.

That the said books were sold at public auction and purchased by Mr. James C. Smith at sixty-five cents per hundred pounds. That the highest offer made privately was twenty-five cents per hundred.

That it was understood and agreed between the librarian and the purchaser at the time of the delivery of the books that the said librarian had a right to reserve and would reserve any and all books of value, or any he might desire if inadvertently left among the books so sold as aforesaid.

That in order that no books of value should be included in said sale or be delivered, the librarian employed Mr. W. G. Stanard, an expert bibliographer, to assist in examining said books as and when the same were delivered.

That only one load of books had been delivered—when proceedings were had by an application for an injunction to set aside the sale.

Your committee are of the opinion that the said books are of no value to the State, and that their sale was wise and expedient, and would recommend that it be proceeded with and confirmed in the discretion of the librarian.

That every precaution was taken by the said librarian to prevent the accidental sale of any book of value; and if proceeded with, no book of value will be included or disposed of.

That the legal proceedings to enjoin the librarian were unnecessary and unwarranted by the facts, and have subjected the State to a considerable expense by way of storage.

That the utmost good faith, care and diligence characterized the conduct of the librarian in making said sale, which sale was duly and properly made in accordance with law and the power and discretion vested in him, and with the advice and consent of the resident members of the library committee, and that every care and precaution was taken to protect the interest of the State.

Your committee, therefore, respectfully recommend the adoption of the following resolutions:

Resolved, 1. That the report of the secretary of the commonwealth and general librarian, showing the receipts and disbursements for the year ended January 1, 1896, is fully sustained by vouchers, and shows a careful, business-like and wise administration of his office; and the same is hereby approved.

2. That the sale of the books was the exercise of a proper discretion on his part, and in the best interests of the library and the Commonwealth. And he is hereby authorized by this committee to complete such sale, or, in his discretion, to make a new one, if the purchaser now declines to comply with the terms of the former sale, under such conditions as may to him seem wise.

Respectfully submitted,

J. E. BOOKER,
R. E. BOYKIN,
DUVAL RADFORD,
Sub-Committee.

A message was received from the governor by his private secretary, who informed the Senate that he had vetoed Senate bill 333; which, on motion of Mr. LITTLE, was laid on the table, and ordered to be printed.

GOVERNOR'S OFFICE,
RICHMOND, VA., *February 27, 1896.*

To the General Assembly of Virginia:

Senate bill No. 333, entitled "an act to incorporate the Potomac and Ohio Railroad Company," is herewith respectfully returned without my approval.

Section 8 of this bill authorizes this company "to construct and extend its railroad over any public highway in the State of Virginia by permission of the authorities having legal charge of said public highways."

The power is herein given to occupy the public roads of the State with the tracks of the proposed railroad by simply securing the permission of the authorities having legal charge of said roads. No provision whatever is made for compensation to the abutting land-owners, who own the fee in said road, for the additional servitude. In previous messages I have insisted upon the authority of the court of appeals of Virginia in the case of the *Western Union Telegraph Co. vs. Williams*, 86th Virginia, page 696, that the public highways of the State could not be occupied by telegraph, telephone or electric poles or railroad tracks without compensation to the abutting land-owners, and that an act which authorized such occupation was unconstitutional unless it provided for such compensation.

This bill being defective in this particular, I must respectfully withhold my approval.

CHAS. T. O'FERRALL, *Governor.*

A message was received from the House of Delegates, by Mr. BATTEN, who informed the Senate that that House had agreed to

the joint resolution to elect a judge for the county of Princess Anne.

A message was received from the House of Delegates by Mr. HATHAWAY, who informed the Senate that that House was ready to execute the joint order for the election of a judge for the county of Princess Anne.

On motion of Mr. SNEAD, the execution of the joint order was postponed until Saturday next, the 29th instant, at one o'clock, and on his further motion, he ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. WILLARD, who informed the Senate that that House had agreed to the resolution postponing the execution of the joint order for the election of a judge for the county of Princess Anne.

Mr. BUCHANAN moved to discharge the committee on roads, &c. from the further consideration of House bill No. 212, to amend and re-enact section 1258, Code of Virginia of 1887, in relation to railroad companies, enclosing their road-beds with fences, and erecting cattle-guards, which was rejected by the following vote—ayes, 20 ; noes, 15, (for want of a constitutional vote.)

AYES—Messrs. Boykin, Buchanan, Claytor, Flanagan, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Kane, Keezell, LeCato, Mushbach, Parr, Snead, Southall, St. Clair, Tredway, Turnbull, and Withers—20.

NOES—Messrs. Barnes, Clement, Flood, Green, Jordan, Little, Lovenstein, Lowry, Maynard, McIlwaine, Morris, Sands, Stubbs, Wickham, and Williams—15.

Mr. BUCHANAN then presented the following resolution :

Resolved, That the committee on roads and internal navigation, be instructed to report House bill 212 to-morrow morning. Mr. WICKHAM moved to amend the resolution by striking out " to-morrow morning," and insert in lieu thereof " Saturday morning," which was agreed to by the following vote—ayes, 19 ; noes, 13.

AYES—Messrs. Brown, Flanagan, Flood, Green, Hale, E. H. Jackson, Jordan, Kane, Little, Lowry, Maynard, McCune, McIlwaine, Morris, Parr, Sands, Southall, Stubbs, and Wickham—19.

NOES—Messrs. Buchanan, Claytor, Clement, G. W. Jackson, Jones, Keezell, LeCato, Mushbach, St. Clair, Tredway, Turnbull, Williams, and Withers—13.

The resolution as amended was agreed to by the following vote—ayes, 31 ; noes, none.

AYES—Messrs. Barnes, Buchanan, Clement, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lowry, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Withers—31.

NOES—None.

No. 717, Senate bill to amend and re-enact independent section 11 of an act entitled an act to amend and re-enact sections 2131,

2132, 2134, 2135, 2137, 2148, 2151, 2153, and to repeal sections 2141, 2142, 2143, 2144, 2145, and 2147 of chapter 97 of the Code of Virginia, in relation to oysters, and to add independent sections thereto, approved February 25, 1893, was taken up, on motion of Mr. BOYKIN (the rules being suspended therefor), read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), read the third time and passed with its title; and, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 713, Senate bill to amend and re-enact section 40 of an act entitled an act to amend the charter of the city of Alexandria, approved February 20, 1871, as amended by an act approved March 22, 1871, and by an act approved the 17th day of March, 1876, and by an act approved March 20, 1877, and by an act approved January 25, 1879, and by an act approved March 1, 1888, and by an act approved February 25, 1892, and by an act approved March 8, 1894, was taken up, and on motion of Mr. MUSHBACH (the rules being suspended therefor), read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), read the third time and passed with its title; and, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 712, Senate bill to amend and re-enact section 33 of an act entitled an act to amend the charter of the city of Alexandria, approved February 20, 1871, as amended by an act approved March 22, 1871, and by an act approved the 17th day of March, 1876, and by an act approved March 20, 1877, and by an act approved January 25, 1879, and by an act approved March 1, 1888, and by an act approved February 25, 1892, and by an act approved March 8, 1894, was taken up, and on motion of Mr. MUSHBACH (the rules being suspended therefor), read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), read the third time and passed with its title; and, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 707, Senate bill to amend and re-enact an act of the General Assembly of Virginia, approved January 30, 1896, entitled an act requiring the auditor of public accounts to make a statement annually, showing an accounting of the county and city treasurers with the State who are in arrears, and prescribing the manner in which the same shall be made public, was taken up, and on motion of Mr. JONES (the rules being suspended therefor), read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), read the third time and passed with its title; and, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 185, Senate bill to take the sense of the people on the call of

✓ a convention, being the special order of the day, was under discussion at the hour of adjournment.

On motion of Mr. HAY, the Senate adjourned until to-morrow, twelve o'clock.

FRIDAY, FEBRUARY 28, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Prayer by Rev. Charles R. Hyde.

Journal of yesterday read by the clerk.

Mr. STUBBS, from the committee on public institutions and education, reported without amendment,

✓ No. 492, Senate bill to incorporate the Evangelical Lutheran Synod of Southwest Virginia.

He, from the same committee, reported without amendment,

✓ No. 727, Senate bill to authorize the superintendents of the insane hospitals of the State to grant furloughs to certain patients.

He, from the same committee, reported with amendments,

✓ No. 420, House bill in relation to officers and teachers of public free schools having any pecuniary benefit in furnishing books, &c., to public free schools in this State.

And he, from the same committee, reported without amendment,

✓ A joint resolution in reference to the appointment of a committee looking to the care of epileptics.

✓ A joint resolution requesting the board of education to codify the laws relating to the public free schools, and empowering them to make recommendation as to further laws needed on this subject:

1. Resolved by the Senate of Virginia (the House of Delegates concurring), That the board of education is requested to codify the laws of Virginia relating to the public free schools of the State, and report to the next meeting of the General Assembly.

2. Said board of education is further requested to submit to the next session of the General Assembly such recommendations as they may think proper for the repeal, modification or enactment of law relating to this subject.

3. This resolution shall be in force from its passage.

✓ Was taken up (the rules being suspended therefor), read the second time and adopted; and, on his further motion, he was ordered to inform the House of Delegates thereof.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment,

✓ No. 655, House bill to allow James E. Carruthers, treasurer of Loudoun county, and his deputies, further time in which to collect uncollected tax tickets in their hands and not returned delinquent.

Mr. JONES, from the committee for courts of justice, reported without amendment,

- ✓ No. 296, House bill to punish as for a misdemeanor a person using abusive language to another.

He, from the same committee, reported without amendment,

- ✓ No. 346, House bill to regulate the granting of injunctions in certain cases.

He, from the same committee, reported without amendment,

- ✓ No. 477, House bill to protect all payment made to the holder of any policy in any accident company, sick benefit company, or any company of like kind, from levy or distress for any debt due by the insured.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 613, House bill entitled an act to amend and re-enact section 3716 of the Code of Virginia, in relation to embezzlement of money, bills, checks, or other property.

He, from the same committee, reported without amendment,

- ✓ No. 660, House bill to provide for the trial of cases pending in the county court of Warwick county.

He, from the same committee, reported with recommendation that it do not pass,

- ✓ No. 350, Senate bill to divorce a vinculo matrimonii, Mary E. Lynn and Wm. G. Lynn, from one another, but not to interfere with any of the proceedings in the divorce suit heretofore had between them in the corporation court of Danville, Va., nor with the settlement made between them of their property rights.

He, from the same committee, reported without amendment,

- ✓ No. 498, Senate bill to amend and re-enact section 865 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 862, relating to certain duties of county and city treasurers, and 865 of the Code relating to suits against treasurers, approved January 11, 1894.

And he, from the same committee, reported without amendment,

- ✓ No. 701, Senate bill to amend and re enact section 2050 of the Code of Virginia, in relation to liability of owners of animals for trespass, and excluding the counties of Sussex and Prince George from the operation thereof.

Mr. MUSHBACH, from the committee on county, city and town organizations, reported without amendment,

- ✓ No. 628, House bill to authorize and empower the judge of the county court of Powhatan to convey a plat of land forty feet square in the court-green of the aforesaid county to the Powhatan Troop Association.

Mr. SANDS, from the committee on general laws, reported without amendment,

- ✓ No. 606, House bill to incorporate the trustees of the Whosoever Home and Farm.

Mr. LOWRY, by leave, presented

- ✓ No. 730, Senate bill to authorize the corporation of Bedford City, Va., to make a donation to the State of Virginia to locate an institution for the education of the deaf and dumb or blind at or near Bedford City; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. LOWRY, by leave, presented

- ✓ No. 731, Senate bill to authorize the board of supervisors of Bedford county to make a donation to the State of Virginia to locate an institution for the deaf and dumb or blind at or near Bedford City; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on public institutions and education.

Mr. LITTLE, by leave, presented

- ✓ No. 732, Senate bill to amend section 2 of a charter granted to the John G. Hurkamp Company on the 7th day of August, 1895, by the judge of the circuit court of Fredericksburg, in vacation, and to confirm and approve and ratify such charter as amended and all its provisions; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

- ✓ The bill was subsequently taken up, on motion of Mr. LITTLE (the rules being suspended therefor), read the second time, and ordered to be engrossed and read the third time; and being forthwith engrossed, on his further motion (two-thirds concurring), read the third time, and passed with its title; on his further motion, he was ordered to inform the House of Delegates thereof.

Mr. MASON, by leave, presented

- ✓ No. 733, Senate bill to compensate school trustees other than clerks in Westmoreland county; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. KANE, by leave, presented

- ✓ No. 734, Senate bill to amend and re-enact sections 3, 19 and 22 of an act entitled an act to change the name of the town of East Big Stone Gap, in Wise county, to East Stone Gap, and to amend and re-enact an act approved March 5, 1890, entitled an act to incorporate the town of East Big Stone Gap, in Wise county, approved March 8, 1894; which, on his motion, was read the first, ordered to be read a second time, and, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. SOUTHALL, by leave, presented

- l No. 735, Senate bill for the relief T. J. Lipford, a disabled Confederate soldier, of Cumberland county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

- ✓ A message was received from the House of Delegates by Mr.

BLAND, who informed the Senate that that House insists on its amendment to Senate bill 132.

Mr. JONES, by leave, presented the following :

Resolved, That a committee of conference, to consist of two members of the Senate and two members of the House of Delegates, be appointed to consider the disagreeing vote of the two houses on Senate bill 132, which was agreed to, and on his further motion, he was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. COOK, that that House had passed with amendments, Senate bill 634, appropriating the public revenue, &c. On motion of Mr. WICKHAM, the amendments proposed by the House of Delegates were agreed to by the following vote—ayes, 31 ; noes, none.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Flanagan, Flood, Green, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Mason, McIlwaine, Morris, Parr, Sands, Snead, Southall, St. Clair, Tredway Turnbull, Wickham, Williams, and Withers—31.

NOES—None.

On his further motion, he was ordered to inform the House of Delegates thereof.

Mr. BROWN, by leave, presented

A petition of citizens of Nelson county, with regard to the mode of selecting teachers for public free schools in said county, which, on his motion, was referred to the committee on public institutions and education.

Mr. LITTLE, from the committee on privileges and elections, reported with a substitute,

House of Delegates resolution appointing electoral board for Warwick county.

Mr. KEEZELL, by leave, presented the following :

Resolved by the Senate (the House of Delegates concurring), That Philip W. Pugh, of Rockingham county, is hereby appointed and elected to fill the vacancy in the electoral board of said county, caused by the death of the late Dr. William T. Jennings, was taken up, (the rules being suspended therefor), agreed to, on his further motion, he was ordered to inform the House of Delegates thereof.

Mr. SANDS, by leave, presented the following :

Resolved that the chair be vacated at three o'clock, and resumed at four and a half o'clock this afternoon, which was agreed to.

Mr. CLAYTOR presented the following :

Resolved that the committee on finance and banks be discharged from the further consideration of Senate bill No. 490, and that the same be placed on the calendar, which was rejected.

A message was received from the House of Delegates by Mr. ———, who informed the Senate that that house had agreed to the joint resolution of conference on House amendments to Senate bill No. 132.

✓ The chair appointed Messrs. JONES and HAY as a committee of conference on the part of the Senate, under the joint resolution of conference.

✓ No. 705, Senate bill for the relief of R. T. Sears, one of the sureties of John H. Sears, late treasurer of Mathews county, was taken up, on motion of Mr. STUBBS (the rules being suspended therefor), read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, was, on his further motion (two-thirds concurring), read the third time and passed with its title by the following vote—ayes, 30; noes, none.

✓ AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hale, Hay, G. W. Jackson, Jones, Jordan, Kane, LeCato, Little, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, Stubbs, Tredway, Turnbull, Wickham, and Withers—30.

NOES—None.

On motion of Mr. ECHOLS, he was ordered to inform the House of Delegates thereof.

Mr. WITHERS, from special committee on criminal expenses, reported without amendment,

✓ No. 110, House bill to amend and re-enact an act entitled an act to amend and re-enact section 4106 of the Code of Virginia, touching the jurisdiction of police justices and justices of the peace as to the trial of offenders in certain cases, approved February 23, 1894.

He, from the same committee, reported without amendment,

✓ No. 454, House bill to amend and re-enact section 4016 of the Code of Virginia, as amended and re-enacted by an act approved February 12, 1894, in relation to when criminal offences committed in counties and cities are to be tried, and when and by whom the venire facias is to be issued.

And he, from the same committee, reported without amendment,

✓ No. 480, House bill to amend and re-enact section 3969 of the Code of Virginia, with reference to when a justice to discharge an accused person who is before him for examination, and what to do when there is sufficient cause to charge him.

✓ No. 699, Senate bill, was taken up, on motion of Mr. BOYKIN (the rules being suspended therefor), by the following vote—ayes, 24; noes, 7.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Hale, Hay, Jordan, Kane, LeCato, Little, Mason, Maynard, McIlwaine, Morris, Parr, Sands, Snead, Southall, and Wickham—24.

NOES—Messrs. G. W. Jackson, Jones, St. Clair, Tredway, Turnbull, Williams, and Withers—7.

✓ On motion of Mr. McILWAINE, the bill with its companion bills, Senate bill No. 688 and Senate bill No. 715, were made the special and continuing order at 4:30 P. M. to-day.

- No. 135, Senate bill to take the sense of the people on call of a convention, &c., being special order for to-day, was taken up, and under consideration at three P. M., the hour of adjournment.

— EVENING SESSION.

The following House bills were taken up (the rules being suspended therefor in each case), read the third time, and passed with their titles:

- ✓ No. 654, House bill entitled an act to amend and re-enact section 2 of an act approved February 22, 1890, entitled an act to extend the boundaries of the city of Norfolk, and to amend and re-enact sections 5, 6 and 12 of said act, as amended by an act approved February 12, 1892, entitled an act to amend and re-enact sections 5, 6 and 12 of an act entitled an act to extend the boundaries of the city of Norfolk, approved February 22, 1890.
- ✓ No. 303, House bill to regulate the killing and capture of deer and other game in Botetourt county.
- ✓ No. 615, House bill entitled an act to amend and re-enact section 7 of an act entitled an act for the protection of sheep in the county of Albemarle, approved March 25, 1875.
- ✓ No. 616, House bill entitled an act to amend and re-enact section 16 of an act entitled an act to provide for the working and repairing of public roads and bridges in Albemarle county, approved February 20, 1892.
- ✓ No. 655, House bill to allow James E. Carruthers, treasurer of Loudoun county, and his deputies, further time in which to collect uncollected tax tickets in their hands and not returned delinquent.
- ✓ No. 199, Senate bill for the relief of the sureties of W. S. Gravely, late treasurer of Henry county, was taken up, read the second time, committee's amendments agreed to, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. TREDWAY (two-thirds concurring), read the third time, and passed with its title by the following vote—ayes, 28; noes, none.

✓ **AYES.**—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, LeCato, Little, Lovenstein, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, St. Clair, Tredway, Turnbull, Wickham, Williams, and Withers—28.

NOES.—None.

And on his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ No. 135, Senate bill to take the sense of the people upon the call of a convention to revise and amend the Constitution, was taken up, read the second time, and ordered to be engrossed and read a third time by the following vote—ayes, 22; noes, 12.

AYES—Messrs. Barnes, Boykin, Brown, Clement, Echols, Green, Hale, Jordan, Kane, Keezell, LeCato, Little, Maynard, McIlwaine, Parr, Sands, Snead, Stubbs, Tredway, Turnbull, Williams and Withers—22.

NOES—Messrs. Buchanan, Claytor, Flanagan, Flood, Hay, G. W. Jackson, Jones, Morris, Mushbach, St. Clair, and Wickham—12.

— Mr. WITHERS moved to give the bill its third reading to-day, which was rejected for want of a constitutional vote—ayes, 23; noes, 11.

AYES—Messrs. Barnes, Boykin, Brown, Clement, Echols, Green, Hale, G. W. Jackson, Jordan, Kane, Keezell, LeCato, Little, Maynard, McIlwaine, Parr, Sands, Snead, Stubbs, Tredway, Turnbull, Williams, and Withers—23.

NOES—Messrs. Buchanan, Claytor, Flanagan, Flood, Jones, Lovenstein, Mason, Morris, Mushbach, St. Clair, and Wickham—11.

✓ No. 688, Senate bill to repeal an act approved January 30, 1896, entitled an act to provide for the transportation of convicts to the penitentiary, and to repeal sections 4065, 4066, 4067, 4068, 4069, and 4070 of the Code of Virginia, was taken up, read the second time, ordered to be engrossed and read a third time by the following vote—ayes, 26; noes, 9.

✓ **AYES**—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hay, E. H. Jackson, G. W. Jackson, Kane, LeCato, Little, Mason, Maynard, McCune, McIlwaine, Morris, Parr, Snead, St. Clair, Stubbs, and Wickham—26.

NOES—Messrs. Jones, Jordan, Keezell, Lovenstein, Mushbach, Tredway, Turnbull, Williams, and Withers—9.

✓ And being forthwith engrossed, Mr. MORRIS moved to suspend the rules and give the bill its third reading to-day, which was agreed to by the following vote—ayes, 30; noes, 6.

✓ **AYES**—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jordan, Kane, LeCato, Little, Lovenstein, Mason, Maynard, McCune, McIlwaine, Morris, Parr, Sands, Snead, St. Clair, Stubbs, and Wickham—30.

NOES—Messrs. Keezell, Mushbach, Tredway, Turnbull, Williams, and Withers—6.

✓ The bill was then read the third time and passed with its title by the following vote—ayes, 30; noes, 7.

✓ **AYES**—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jordan, Kane, LeCato, Little, Lovenstein, Mason, Maynard, McCune, McIlwaine, Morris, Parr, Sands, Snead, St. Clair, Stubbs, and Wickham—30.

NOES—Messrs. Jones, Keezell, Mushbach, Tredway, Turnbull, Williams, and Withers—7.

✓ No. 699, Senate bill to amend and re-enact section 4067 of the Code of Virginia, entitled regulation of guard in conveying pris-

✓ oners, was taken up, read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), was read the third time and passed with its title.

✓ No. 715, Senate bill to amend and re-enact section 3531 of the Code of Virginia, in reference to the fees of sheriffs, constables, sergeants, criers, and coroners, was taken up, read the second time, and ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. MORRIS (two-thirds concurring), read the third time and passed with its title by the following vote—ayes, 31; noes, 2.

✓ AYES—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Flanagan, Flood, Green, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, LeCato, Little, Lovenstein, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, St. Clair, Stubbs, Tredway, Wickham, and Williams—31.

NOES—Messrs. Turnbull and Withers—2.

✓ Mr. STUBBS, from the special committee on investigation, presented the following report of the committee with a bill prepared by the committee, which on his motion, was laid on the table and ordered to be printed. [See Document No. 131.]

The special committee to investigate the Deaf, Dumb, and Blind Institute, by leave presented

✓ No. 736, Senate bill to provide for the reorganization of the institution for the deaf and dumb and blind, and to repeal chapter 74 of the Code of Virginia, and to repeal chapter 226 of the Acts of Assembly, entitled an act to regulate the appointment of the board of directors of the Deaf, Dumb, and Blind Institute, at Staunton, Va., approved May 14, 1887.

Mr. JONES, by leave, presented the following:

Resolved, That when the Senate adjourn to-day, it adjourn to meet at eleven o'clock to-morrow, which was agreed to.

On motion of Mr. LITTLE, the Senate adjourned to meet to-morrow, eleven o'clock.

SATURDAY, FEBRUARY 29, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In House of Delegates, February 27, 1896.

✓ The House of Delegates has passed with amendments Senate bill entitled an act to authorize the Big Stone Gap Iron Company to build railroads to its mines, No. 384.

They have passed House bills entitled an act to amend and re-enact chapter 118, Acts of 1891-'92, entitled an act to amend and re-enact section 1197 of the Code of Virginia, in regard to tolls, No. 501; an act making it lawful for the county courts and justices in Southampton, Clarke, and Fauquier counties to sentence certain criminals to work upon the roads, farms, or other public works in said counties, or on the streets of any town in said counties, and prescribing penalty for persons thus sentenced who escape or attempt to escape, No. 553; an act prescribing certain additional duties to be performed by the superintendent of the poor in Southampton, Clarke, and Fauquier counties, No. 555; an act to empower the board of supervisors of Southampton, Clarke, and Fauquier counties to make rules concerning the working of criminals sentenced to work on the public roads or farms, or other public works of said counties, and to provide suitable buildings for the care and custody of said criminals, No. 556; an act to provide for the working and keeping in repair the public roads of Botetourt county, No. 590; an act providing for the attachment and garnishment of cities and towns, No. 637; an act to amend and re-enact section 317 of the Code of Virginia 1887, relating to staffs of Major-General, &c., and to repeal section 318 of the Code of 1887, relating to non-commissioned staff of regiments, No. 641; an act to incorporate the Smithville Cemetery Company, in Charlotte county, No. 657; an act to permit Julian T. Edwards to establish a fishery for the purpose of fishing with a haul seine in front of his farm, in King William county, in the Pamunkey river, No. 667; an act to authorize and empower the auditor of public accounts to collect taxes heretofore assessed upon bank stock held by resident and non-resident stockholders, No. 673; an act to amend and re-enact section 17 of an act entitled an act to provide for the assessment of taxes on persons, property, and incomes, and on licenses to transact business, and imposing taxes thereon for the support of government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixtures thereof, in cases where a court certificate is required, approved March 6, 1890, No. 675; an act to enlarge the powers of the Richmond Traction Company, No. 620; an act to provide for the making and keeping in repair the roads and bridges of Charlotte county, No. 683; an act to amend and re-enact section 1043 of the Code of Virginia, in order to provide for local assessment, No. 685; an act to amend and re-enact an act entitled an act to appoint trustees for the Mattaponi tribe of Indians of King William county, and to prescribe their duties, approved March 8, 1894, No. 692; a House joint resolution calling upon the superintendent of the penitentiary for information concerning guards employed at that institution, No. 695; an act to amend and re-enact section 1359 of the Code of Virginia, in relation to how grain to be ground, amount of toll, and penalty for failure to comply with the provis-

ions of the act, No. 701; an act to regulate the salary and to prescribe certain duties of the police justice of the city of Norfolk, No. 702; an act to provide for the appointment of an assistant commissioner of accounts of the corporation court of the city of Norfolk, and define his duties and powers, No. 703; an act to compensate justices of the city of Norfolk for acknowledgment of bail in certain cases, No. 704; an act to amend and re-enact section 28 of chapter 244 of an act approved March 6, 1890, imposing a tax on peddlers of coal and wood in the city of Richmond, No. 705; an act to incorporate the Newport News Female Seminary, No. 706; an act to amend and re-enact section 18 of an act approved March 5, 1894, entitled an act to regulate and control guaranty, trust, indemnity, fidelity, and other like companies having for their purpose, or one of their purposes, to become security for the faithful performance of any trust, duty, contract, agreement, or bond, public or private, official or otherwise, or to assume any duty or obligation of like nature as principal or otherwise, or to become fiduciary, No. 707; an act to amend and re-enact section 8 of an act entitled an act incorporating the town of Barton Heights, in Henrico county, No. 708; an act to incorporate the Chesapeake and Fox Hill Railroad, No. 709; an act to authorize the trustees to sell the Borings Chapel Church property, in Lee county, No. 710; an act to prohibit the catching of fish by any person other than the owner in any private pond or stream in Southampton county, No. 711; an act to provide for the working and keeping in repair the public roads and bridges in the counties of Northumberland and Westmoreland, No. 712; an act providing for the working, opening, and keeping in repair the roads in the county of Cumberland, and for the building and keeping in repair the bridges in said county, No. 713; an act for working, keeping in repair, and building the roads and bridges of Buckingham county, No. 714; an act to incorporate the Southside Furnace Company of Virginia, No. 715; an act authorizing the election of a town assessor for the town of Covington, Alleghany county, Va., No. 716; an act to provide for the working and keeping in repair the public roads of Louisa county, No. 717; an act to *see this?* protect pheasants and jack rabbits in the counties of Lancaster, Northumberland, Richmond, Westmoreland and King George, No. 718; an act to incorporate the Halifax Building and Loan Company, No. 720; an act to incorporate the Society of the Sons of the Revolution in the State of Virginia, No. 721; an act to amend and re-enact section 246 of chapter 18, Code of Virginia, in relation to the Secretary of the Commonwealth furnishing reports of the decisions of the court of appeals, No. 722; an act protecting and enlarging the powers of the Pulaski Agricultural and Mechanical Society, No. 723; an act in relation to the fencing of railway tracks in the county of Charlotte, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, No. 724; an act for the protection of wild turkeys in the county of

- ✓ Mecklenburg, Va., No. 726; an act to incorporate the town of Potomac, in Prince William county, No. 727; an act to change the name of Millners voting precinct, in Amherst county, to Allwood voting precinct, No. 729; an act to vest the title of a certain lot of land, containing one acre, more or less, in King George county, in trustees for the use and benefit of Fletcher's Chapel, Methodist Episcopal Church, South, No. 730; an act to authorize the board of supervisors of Smyth county to increase the salary of county judge, No. 731; an act for the relief of A. V. K. Deekins, a student at the University of Maryland, allowing him to receive a temporary certificate to practice dentistry, No. 732; an act to provide for working and keeping in repair the public roads in Floyd county, No. 733; an act to incorporate the Portsmouth, Suffolk, Lake of the Dismal Swamp Electric Railway and Hotel Company, No. 734; an act to incorporate the Potomac Mining, Manufacturing, and Transportation Company, No. 735; an act to confirm the organization and corporate existence of and to grant certain powers to the Washington, Arlington, and Falls Church Railway Company, No. 736; an act to amend and re-enact chapter 2 of an act approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons, property, and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is required, and to repeal section 9 of chapter 2 of this act, relating to liquor license, No. 772; and an act to amend and re-enact an act entitled an act to prescribe forms to be furnished by the auditor of public accounts to the clerks of courts of record, and to provide a more efficient mode of collecting the revenue arising from the tax on deeds, wills, seals, and money arising from fines and delinquent lands, approved March 5, 1894, No. 166.

In which amendments and bills they request the concurrence of the Senate.

In House of Delegates, February 28, 1896.

- ✓ The House of Delegates has passed Senate bills entitled an act to amend and re-enact section 2 of the charter of the town of Chatham, in Pittsylvania county, as amended by an act entitled an act to amend the charter of said town, approved April 24, 1874, as further amended by an act entitled an act to amend and re-enact second section of an act to amend the charter of said town, approved March 1, 1875, No. 693; an act to extend the limits of the city of Danville so as to embrace the town of Neapolis, in Pittsylvania county, Virginia, and to annex and unite said city and said town in one city under the name of city of Danville, and to amend and to re-enact section 1 of chapter 1, sections 2 and 3 of chapter 3, section 1 and 2 of chapter

✓ 4, and section 5 of chapter 5 of an act entitled an act to incorporate the city of Danville, approved February 17, 1890, No. 708.

✓ They have agreed to the amendments of the Senate to House bills entitled an act to amend and re-enact section 2 and 15 of an act entitled an act to incorporate the town of Crewe, in the county of Not-toway, approved March 3, 1894, No. 359; an act to allow J. Winton Repass and his deputies further time to collect tax tickets now in their hands, No. 255; an act to incorporate the Alleghany Rod and Gun Club, No. 575; an act to amend an act entitled an act to authorize and empower the Alleghany Iron Company to construct and operate a railroad under certain limitations, approved February 16, 1892, No. 211; an act to incorporate Virginia Electric Railroad and Mining Co., No. 547; an act to amend and re-enact a special revenue bill, approved February 22, 1890, No. 48; an act to amend and re-enact section 2071 of the Code, in reference to hunting, &c., on another's land, No. 523; an act to amend and re-enact section 525 of the Code of Virginia, in relation to the collection of fees of the commissioner of revenue, No. 608.

They have passed House bills entitled an act to incorporate the Southeastern and Atlantic Railroad Company, No. 644; an act for the relief of the estate of William W. Larkin, deceased, from a forfeited recognizance, No. 674; an act to enable the Rector and Board of Visitors of Virginia Agricultural and Mechanical College to procure a supply of water and to construct and maintain a system of water-works and to appropriate money therefor as a sinking-fund, ✓ No. 693; an act to place the ferry across New river at Ripplemead, ✓ Giles county, Virginia, commonly known as Snidow's and Mason's ferry, under the control of the general laws governing ferries in this State, No. 737; an act to incorporate the New River Bridge Company, No. 739; an act to authorize E. A. Morrison, of the city of Petersburg, to erect a wharf on Rappahannock river, in Westmoreland county, No. 740; an act authorizing the purchasers of the property and franchises of the South Atlantic and Ohio Railroad Company, their assigns and successors, to become a corporation, to adopt a name therefor, and to possess and exercise general powers, and authorizing the leasing to or by and the consolidation therewith of ✓ other corporations, No. 741; an act to amend and re-enact an act requiring the use of bells and steam whistles on locomotive engines before reaching highway crossings, to protect human life, approved March 5, 1894, No. 742; an act making amendments to the charter of Clifton Forge, No. 743; an act declaring a certain portion of ground in York river a natural oyster rock, No. 745; an act to incorporate the Northern Neck Mutual Fire Insurance Co. of Virginia, No. 746; an act to direct the auditor to issue his warrant for twenty-five dollars in favor of W. W. H. Harris, in payment for ✓ services rendered by him to the Commonwealth, No. 748; an act for the relief of Daniel B. Martin, of Lee county, a disabled Confederate soldier, 749; an act to place James S. Oden, of Fairfax county,

✓ on the pension list of the State of Virginia, No. 750; an act for the relief of John E. Collins, a disabled Confederate soldier, 751; an act for the relief of Byram Hall, a Confederate soldier, of Grayson county, No. 753; an act for the relief of W. M. Nuckols, of the county of Rockbridge, No. 754; an act to place George W. Johnson, of Prince William county, on the pension list of the State of Virginia, No. 755; an act for the relief of Robert S. Robertson, a disabled Confederate soldier, No. 756; an act for the relief of C. S. Burks, a blind Confederate soldier, No. 757; an act for the relief of Ephraim Williams, a disabled Confederate soldier, of Carroll county, Virginia, No. 758; an act to place the name of Benjamin E. Ward, a Confederate soldier, of Lunenburg county, on the pension roll, No. 759; an act to place H. C. Harover, of Prince William county, on the pension list of the State of Virginia, No. 760; an act to place the name of W. W. Mink, of Lee county, on the pension list, No. 761; an act to authorize Alfred Oury, of Wythe county, to be placed on the pension list, No. 762; an act for the relief of Granville Kilby, a disabled Confederate soldier, No. 763; an act for the relief of Nancy Jane Rollins, the widow of a Confederate soldier, No. 764; an act for the relief of C. M. Hicks, a Confederate soldier, No. 765; an act for the relief of Starling S. Cooper, of Pittsylvania county, a disabled Confederate soldier, No. 766; an act for the relief of V. W. Gibson, a disabled Confederate soldier, No. 767; an act for the relief of David F. Haley, of Pittsylvania county, a disabled Confederate veteran, No. 768; an act to increase pension of W. A. Trent, of Radford, Virginia, No. 769; an act to impose a special license on dealers in cast-off clothing in Accomac and Northampton counties, No. 770; an act for the relief of Patrick Fox from certain fines and costs imposed by the county court of Alleghany county, No. 771; an act, joint resolution, providing for the reception of patients at the several State hospitals, No. 774; an act for the working of convicts at the State farm upon the public roads in the vicinity of said farm, No. 775; an act providing for the appointment and removal of coroners, and for the enacting and re-enacting of section 891 of the Code of Virginia, 1887, No. 776; an act to amend and re-enact section 2465 of the Code of Virginia, in relation to contracts, deeds, &c., that are void as to creditors and purchasers unless recorded, No. 779; an act to amend and re-enact section 7 of an act entitled an act to establish an additional court for the city of Norfolk, and to define its jurisdiction, approved February 12, 1894, No. 780; an act to amend and re-enact section 33 of an act entitled an act to amend the charter of the city of Alexandria, approved February 20, 1871, as amended by an act approved March 22, 1871, and by an act approved the 17th day of March, 1876, and by an act approved March 20, 1877, and by an act approved January 25, 1879, and by an act approved March 1, 1888, and by an act approved February 25, 1892, and by an act approved March 8, 1894, No. 783; an act to incorporate the Virginia Transit Company, and to authorize it to engage in mining,

✓ manufacturing and storage, No. 785; an act to amend and re-enact an act entitled an act to amend and re-enact section 605 of the Code, entitled treasurers to return lists of uncollected taxes and delinquents, approved January 23, 1896, No. 787; an act to impose a special license on dealers in pistols and pistol cartridges in the counties of Accomac and Northampton, No. 788; an act to impose a special license on dealers in cigarettes in the county of Accomac, No. 789; an act to authorize the board of school trustees for Newport School District of Warwick county, to use the district school fund to pay teachers for the session of 1895-'96, or so much thereof as may be necessary, No. 790; an act to amend and re-enact section 14 of an act to provide for the working and keeping in repair the public roads of the county of Louisa, No. 791; and an act to amend and re-enact sections 70 and 71 of an act approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business and imposing taxes thereon, for the support of the government and public schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses, &c., so as to exempt from the license-tax boarding-house keepers, who keep boarders for a period not exceeding two months, No. 801.

In which bills they request the concurrence of the Senate.

✓ No. 384, Senate bill to authorize the Big Stone Gap Iron Company to build railroads to the mines, was taken up, and on motion of Mr. KANE, the amendments proposed by the House of Delegates agreed to.

✓ No. 501, House bill entitled an act to amend and re-enact chapter 118 of the Code of Virginia in regard to tolls, was taken up, twice read, and referred to the committee on county, city, and town organizations.

✓ No. 553, House bill entitled an act making it lawful for the county courts and justices in Southampton, Clarke, and Fauquier counties to sentence certain criminals to work upon the roads, farms, or other public works in said counties, or on the streets of any town in said counties, and prescribing penalty for persons thus sentenced who escape or attempt to escape, was taken up, twice read, and on motion of Mr. LITTLE (the rules being suspended therefor) placed on the calendar.

✓ No. 555, House bill entitled an act prescribing certain additional duties to be performed by the superintendent of the poor in Southampton, Clarke, and Fauquier counties, was taken up, twice read, and on motion of Mr. LITTLE (the rules being suspended therefor) placed on the calendar.

✓ No. 556, House bill to empower the Board of Supervisors of Southampton, Clarke, and Fauquier counties to make rules concerning the working of criminals sentenced to work on the public roads or farms, or other public works of said counties, and to pro-

vide suitable buildings for the care of said criminals, was taken up, twice read, and on motion of Mr. BOYKIN (the rules being suspended therefor), placed on the calendar.

✓ No. 590, House bill to provide for the working and keeping in repair the public roads of Botetourt county, was taken up, twice read, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ No. 683, House bill entitled an act to provide for the working and keeping in repair the roads and bridges of Charlotte county, was taken up, twice read, and on motion of Mr. WILLIAMS (the rules being suspended therefor), placed on the calendar.

✓ No. 620, House bill entitled an act to enlarge the powers of the Richmond Traction Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 637, House bill entitled an act providing for the attachment and garnishment of cities and towns, was taken up, twice read, and on motion of Mr. LITTLE (the rules being suspended therefor), placed on the calendar.

✓ No. 641, House bill entitled an act to amend and re-enact section 317 of the Code of Virginia of 1887, relating to the staffs of Major-General, etc., and to repeal section 318 of the Code of 1887, relating to non-commissioned staff of regiments, was taken up, twice read, and referred to the committee on general laws.

✓ No. 657, House bill to incorporate the Smithville Cemetery Company in Charlotte county, was taken up, twice read, and on motion of Mr. WILLIAMS (the rules being suspended therefor), placed on the calendar.

✓ No. 667, House bill to permit Julian T. Edwards to establish a fishery for the purpose of fishing with a haul seine in front of his farm, in King William county, in the Pamunkey river, was taken up, twice read, and on motion of Mr. STUBBS (the rules being suspended therefor), placed on the calendar.

✓ No. 644, House bill entitled an act to incorporate the Southern and Atlantic Railroad Company, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 674, House bill entitled an act for the relief of the estate of William W. Larkin, deceased, from a forfeited recognizance, was taken up, twice read, and on motion of Mr. CLEMENTS (the rules being suspended therefor), placed on the calendar.

✓ No. 673, House bill entitled an act to authorize and empower the auditor of public accounts to collect taxes heretofore assessed upon bank-stock held by resident and non-resident stock-holders, was taken up, twice read, and referred to committee on finance and banks.

✓ No. 675, House bill entitled an act to amend and re-enact section 17 of an act entitled an act to provide for the assessment of taxes on persons, property, and incomes, and on licenses to transact business, and imposing taxes thereon for the support of government

and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is required, approved March 6, 1890, was taken up, twice read, and referred to committee on finance and banks.

✓ No. 685, House bill to amend and re-enact section 1043 of the Code of Virginia, in order to provide for local assessment, was taken up, twice read, and on motion of Mr. LOVENSTEIN (the rules being suspended therefor), placed on the calendar.

✓ No. 692, House bill to amend and re-enact an act entitled an act to appoint trustees for the Mattaponi tribe of Indians of King William county, and prescribe their duties, approved March 8, 1894, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.

✓ No. 697, Joint resolution calling upon the superintendent of the penitentiary for information concerning guards employed at that institution, was taken up, twice read and (the rules being suspended therefor) was agreed to.

✓ No. 701, House bill entitled an act to amend and re-enact section 1359 of the Code of Virginia, in relation to how grain is to be ground, amount of toll, and penalty for failing to comply with the provisions of this act, was taken up, twice read, and referred to the committee for courts of justice.

✓ No. 702, House bill to amend and re-enact an act entitled an act to regulate the salary of the police justice of the city of Norfolk, approved February 18, 1896, was taken up, twice read, and on motion of Mr. BOYKIN (the rules being suspended therefor), placed on the calendar.

✓ No. 703, House bill to provide for the appointment of an assistant commissioner of accounts of the corporation court of the city of Norfolk, and define his duties and powers, was taken up, twice read, and on motion of Mr. BOYKIN (the rules being suspended therefor), placed on the calendar.

✓ No. 704, House bill entitled an act to compensate justices of the city of Norfolk for acknowledgment of bail in certain cases, was taken up, twice read, and on motion of Mr. BOYKIN (the rules being suspended therefor), placed on the calendar.

✓ No. 705, House bill entitled an act to incorporate the Newport News Female Seminary, was taken up, twice read, and on motion of Mr. BOYKIN (the rules being suspended therefor), placed on the calendar.

✓ No. 705, House bill entitled an act to amend and re-enact section 28, of chapter 244, of an act approved March 6, 1890, imposing a tax on pedlers of coal and wood in the city of Richmond, was taken up, twice read, and referred to committee on finance and banks.

✓ No. 707, House bill entitled an act to amend and re-enact section 18, of an act approved March 5, 1894, entitled an act to regulate and control guaranty, trust, indemnity, fidelity and other like companies

having for their purpose, or one of their purposes, to become security for the faithful performance of any trust, duty, contract, agreement, or bond, public or private, official or otherwise, or to assume any duty of obligation of like nature, as principal or otherwise, or to become fiduciary, was taken up, twice read, and referred to the committee on finance and banks.

✓ No. 708, House bill entitled an act to amend and re-enact section 8 of an act entitled an act incorporating the town of Barton Heights, in Henrico county, was taken up, twice read, and on motion of Mr. SANDS (the rules being suspended therefor), placed on the calendar.

✓ No. 709, House bill entitled an act to incorporate the Chesapeake and Fox Hill Railroad Company, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.

✓ No. 710, House bill entitled an act to authorize the trustees to sue the Borings Chapel Church property in Lee county, was taken up, twice read, and on motion of Mr. KANE (the rules being suspended therefor), placed on the calendar.

✓ No. 711, House bill entitled an act to prohibit the catching of fish by any person, other than the owner, in any private pond or stream in Southampton county, was taken up, twice read, and on motion of Mr. BOYKIN (the rules being suspended therefor), placed on the calendar.

✓ No. 712, House bill entitled an act to provide for the working and keeping in repair the public roads and bridges in the counties of Northumberland and Westmoreland, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.

✓ No. 713, House bill entitled an act providing for the working, opening and keeping in repair the roads in the county of Cumberland, and for the building and keeping in repair the bridges in said county, was taken up, twice read, and on motion of Mr. WILLIAMS (the rules being suspended therefor), placed on the calendar.

✓ No. 714, House bill entitled an act for working, keeping in repair, and building the roads and bridges in Buckingham county, was taken up, twice read, and on motion of Mr. FLOOD (the rules being suspended therefor), placed on the calendar.

✓ No. 715, House bill entitled an act to incorporate the Southside Furnace Company of Virginia, was taken up, twice read, and on motion of Mr. WILLIAMS (the rules being suspended therefor), placed on the calendar.

✓ No. 716, House bill entitled an act authorizing the election of a town assessor for the town of Covington, in Alleghany county, Virginia, was taken up, twice read, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ No. 718, House bill entitled an act to protect pheasants and jack rabbits in the counties of Lancaster, Northumberland, Richmond,

- ✓ Westmoreland and King George, was taken up, twice read, and on motion of Mr. MASON (the rules being suspended therefor), placed on the calendar.
- ✓ No. 720, House bill entitled an act to incorporate the Halifax Building and Loan Company, was taken up, twice read, and on motion of Mr. JORDAN (the rules being suspended therefor), placed on the calendar.
- ✓ No. 721, House bill entitled an act to incorporate the Society of the Sons of the Revolution in the State of Virginia, was taken up, twice read, and on motion of Mr. STUBBS (the rules being suspended therefor), placed on the calendar.
- ✓ No. 722, House bill entitled an act to amend section 246 of chapter 18, Code of Virginia, as amended by an act approved February 19, 1894, in relation to the Secretary of the Commonwealth, furnishing reports of the decisions of the Court of Appeals, was taken up, twice read, and on motion of Mr. SANDS (the rules being suspended therefor), placed on the calendar.
- ✓ No. 723, House bill entitled an act protecting and enlarging the powers of the Pulaski Agricultural and Mechanical Society, was taken up, twice read, and on motion of Mr. GREEN (the rules being suspended therefor), placed on the calendar.
- ✓ No. 726, House bill entitled an act for the protection of wild turkeys in the county of Mecklenburg, Virginia, was taken up, twice read, and, on motion of Mr. WILLIAMS (the rules being suspended therefor), placed on the calendar.
- ✓ No. 724, House bill entitled an act in relation to the fencing of railway tracks in the county of Charlotte, defining when the corporations are not liable for injuries, and establishing their liability in certain cases, was taken up, twice read, and referred to the committee on roads and internal navigation.
- ✓ No. 727, House bill entitled an act to incorporate the town Potomac, in Prince William county, was taken up, twice read, and on motion of Mr. MUSHBACH (the rules being suspended therefor), placed on the calendar.
- ✓ No. 729, House bill entitled an act to change the name of Millners voting precinct in Amherst county to Allwood voting precinct, was taken up, twice read, and on motion of Mr. BROWN (the rules being suspended therefor), placed on the calendar.
- ✓ No. 731, House bill entitled an act to authorize the board of supervisors of Smyth county to increase the salary of county judge, was taken up, twice read, and on motion of Mr. BUCHANAN (the rules being suspended therefor), placed on the calendar.
- ✓ No. 730, House bill entitled an act to vest the title of a certain lot of land containing one acre more or less in King George county in trustees for the use and benefit of Fletcher's Chapel, Methodist Episcopal church, South, was taken up, twice read, and on motion of Mr. MASON (the rules being suspended therefor), placed on the calendar.

- ✓ No. 732, House bill entitled an act for the relief of A. V. K. Deekins, a student at the University of Maryland, allowing him to receive a temporary certificate to practice dentistry, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.
- ✓ No. 733, House bill entitled an act to provide for working and keeping in repair the public roads in Floyd county, was taken up, twice read, and on motion of Mr. HALE (the rules being suspended therefor), placed on the calendar.
- ✓ No. 735, House bill entitled an act to incorporate the Potomac Mining, Manufacturing and Transportation Company, was taken up, twice read, and referred to committee on roads and internal navigation.
- ✓ No. 693, House bill entitled an act to enable the Rector and Board of Visitors of Virginia Agricultural and Mechanical College to procure a supply of water, and to construct and maintain a system of water works, and to appropriate money therefor, as a sinking fund, was taken up, twice read, and on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar, and on his further motion (two thirds concurring), read the third time and passed with its title by the following vote—ayes, 35; noes, none.

✓ AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, St. Clair, Stubbs, Turnbull, Wickham and Williams—35.

NOES—None.

On his further motion he was ordered to inform the House of Delegates thereof.

- ✓ No. 737, House bill entitled an act to place the ferry across New River at Ripplemead, Giles county, Virginia, commonly known as Snidow's and Mason's Ferry, under the control of the general laws, governing ferries in this State, was taken up, twice read, and on motion of Mr. GREEN (the rules being suspended therefor), placed on the calendar.
- ✓ No. 739, House bill entitled an act to incorporate the New River Bridge Company, was taken up, twice read, and on motion of Mr. CLAYTOR (the rules being suspended therefor), placed on the calendar.
- ✓ No. 740, House bill entitled an act to authorize E. A. Morrison, of the city of Petersburg, to erect a wharf on Rappahannock river, in Westmoreland county, was taken up, twice read, and on motion of Mr. McILWAINE (the rules being suspended therefor), placed on the calendar.
- ✓ No. 736, House bill entitled an act to confirm the organization and corporate existence of, and to grant certain powers to the

Washington, Arlington and Falls Church Railway Company, was taken up, twice read, and on motion of Mr. MUSHBACH (the rules being suspended therefor), placed on the calendar.

✓ No. 772, House bill entitled an act to amend and re-enact chapter 2 of an act approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is required, and to repeal section 9 of chapter 2, of this act, relating to liquor licenses, was taken up, twice read, and referred to committee on finance and banks.

✓ No. 741, House bill entitled an act authorizing the purchasers of the property and franchises of the South Atlantic and Ohio Railroad Company, their assigns and successors, to become a corporation, to adopt a name therefor, and to possess and exercise general powers, and authorizing the leasing to or by, and the consolidation therewith of other corporations, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 742, House bill entitled an act to amend and re-enact an act entitled an act requiring the use of bells and steam whistles on locomotive engines before reaching highway crossings to protect human life, approved March 5, 1894, was taken up, twice read, and referred to the committee on roads and internal navigation.

✓ No. 743, House bill entitled an act making amendments to the charter of Clifton Forge, was taken up, twice read, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ No. 745, House bill entitled an act declaring a certain portion of ground in York river, a natural oyster rock, was taken up, twice read, and on motion of Mr. STUBBS (the rules being suspended therefor), placed on the calendar.

✓ No. 746, House bill entitled an act to incorporate the Northern Neck Mutual Fire Insurance Company of Virginia, was taken up, twice read, and on motion of Mr. MASON (the rules being suspended therefor), placed on the calendar.

✓ No. 748, House bill entitled an act to direct the auditor to issue his warrant for twenty-five dollars in favor of W. H. H. Harris in payment for services rendered by him to the Commonwealth, was taken up, twice read, and on motion of Mr. FLOOD (the rules being suspended therefor), placed on the calendar.

✓ No. 749, House bill entitled an act for the relief of Daniel B. Martin, of Lee county, a disabled Confederate soldier, was taken up, twice read, and on motion of Mr. KANE (the rules being suspended therefor), placed on the calendar.

✓ No. 750, House bill entitled an act to place James A. Oden, of

Fairfax county, on the pension list of the State of Virginia, was taken up, twice read, and on motion of Mr. MUSHBACH (the rules being suspended therefor), placed on the calendar.

✓ No. 751, House bill entitled an act for the relief of John E. Collins, a disabled Confederate soldier, was taken up, twice read, and on motion of Mr. PARR (the rules being suspended therefor), placed on the calendar.

✓ No. 753, House bill entitled an act for the relief of Byram Hall, a wounded Confederate soldier, of Grayson county, was taken up, twice read, and on motion of Mr. PARR (the rules being suspended therefor), placed on the calendar.

✓ No. 754, House bill entitled an act for the relief of W. M. Nuckols, of the county of Rockbridge, was taken up, twice read, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ No. 755, House bill entitled an act to place Geo. W. Johnson, of Prince William county, on the pension list of the State of Virginia, was taken up, twice read, and, on motion of Mr. MUSHBACH (the rules being suspended therefor), placed on the calendar.

✓ No. 756, House bill entitled an act for the relief of Robert S. Robertson, a Confederate soldier, was taken up, twice read, and on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.

✓ No. 757, House bill entitled an act for the relief of C. S. Burks, a blind Confederate soldier, was taken up, twice read, and on motion of Mr. MUSHBACH (the rules being suspended therefor), placed on the calendar.

✓ No. 758, House bill entitled an act for the relief of Ephraim Williams, a Confederate soldier, of Carroll county, was taken up, twice read, and on motion of Mr. KANE (the rules being suspended therefor), placed on the calendar.

✓ No. 759, House bill entitled an act to place the name of Benjamin E. Ward, a Confederate soldier, of Lunenburg county, on the pension roll, was taken up, twice read, and on motion of Mr. TURNBULL (the rules being suspended therefor), placed on the calendar.

✓ No. 760, House bill entitled an act to place H. C. Harover, of Prince William county, on the pension list of the State of Virginia, was taken up, twice read, and on motion of Mr. MUSHBACH (the rules being suspended therefor), placed on the calendar.

✓ No. 761, House bill entitled an act to place the name of W. W. Mink, of Lee county, on the pension list, was taken up, twice read, and, on motion of Mr. KANE (the rules being suspended therefor), placed on the calendar.

✓ No. 762, House bill entitled an act to authorize Alfred Oury, of Wythe county, to be placed on the pension list, was taken up, twice read, and on motion of Mr. GREEN (the rules being suspended therefor), placed on the calendar.

✓ No. 763, House bill entitled an act for the relief of Granville

Kelly, a disabled Confederate soldier, was taken up, twice read, and on motion of Mr. KANE (the rules being suspended therefor), placed on the calendar.

✓ No. 764, House bill entitled an act for the relief of Mary Jane Rollins, the widow of a Confederate soldier, was taken up, twice read, and on motion of Mr. MASON (the rules being suspended therefor), placed on the calendar.

✓ No. 765, House bill entitled an act for the relief of C. M. Hicks, a Confederate soldier, was taken up, twice read, and on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.

✓ No. 766, House bill entitled an act for the relief of Starling S. Cooper, of Pittsylvania county, a disabled Confederate soldier, was taken up, twice read, and on motion of Mr. LITTLE (the rules being suspended therefor), placed on the calendar.

✓ No. 767, House bill entitled an act for the relief of V. W. Gibson, a disabled Confederate soldier, was taken up, twice read, and on motion of Mr. MASON (the rules being suspended therefor), placed on the calendar.

✓ No. 768, House bill entitled an act for the relief of David F. Haley, of Pittsylvania county, a disabled Confederate soldier, was taken up, twice read, and on motion of Mr. LITTLE (the rules being suspended therefor), placed on the calendar.

✓ No. 769, House bill entitled an act to increase the pension of W. A. Trent, of Radford, Virginia, was taken up, twice read, and on motion of Mr. LITTLE (the rules being suspended therefor), placed on the calendar.

✓ No. 770, House bill entitled an act to impose a special license on dealers in cast-off clothing in Accomac and Northampton counties, was taken up, twice read, and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.

✓ No. 771, House bill entitled an act for the relief of Patrick Fox from certain fines and costs imposed by the county court of Alleghany county, was taken up, twice read, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ No. 774, Joint resolution providing for the reception of patients at the several State hospitals, was taken up, twice read, and referred to the committee on public institutions and education.

✓ No. 775, House bill entitled an act for the working of convicts at the State farm, upon the public roads in the vicinity of said farm, was taken up, twice read, and on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.

✓ No. 776, House bill entitled an act providing for the appointment and removal of coroners, and for the enacting and re-enacting of section 891 of the Code of Virginia, 1887, was taken up, twice read, and on motion of Mr. JONES (the rules being suspended therefor), placed on the calendar.

✓ No. 779, House bill entitled an act to amend and re-enact section

- ✓ 2465 of the Code of Virginia, in relation to contracts, deeds, &c., that are void as to creditors and purchasers unless recorded, was taken up, twice read, and referred to the committee for courts of justice.
- ✓ No. 780, House bill entitled an act to amend and re-enact section 7 of an act entitled an act to establish an additional court for the city of Norfolk and to define its jurisdiction, approved February 12, 1894, was taken up, twice read, and on motion of Mr. SNEAD (the rules being suspended therefor), placed on the calendar.
- ✓ No. 166, House bill entitled an act to amend and re-enact an act entitled an act to prescribe forms to be furnished by the auditor of public accounts to the clerks of courts of record, and to provide a more efficient mode of collecting the revenue arising from the tax on deeds, wills, seals and money arising from fines and delinquent lands, approved March 5, 1894, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 783, House bill entitled an act to amend and re-enact the charter of the city of Alexandria, approved February 20, 1871, as amended by an act approved March 22, 1871, and by an act approved the 17th day of March, 1876, and by an act approved March 20, 1877, and by an act approved January 25, 1879, and by an act approved March 1, 1888, and by an act approved February 25, 1892, and by an act approved March 8, 1894, was taken up, twice read, and on motion of Mr. MUSHBACH (the rules being suspended therefor), placed on the calendar.
- ✓ No. 785, House bill entitled an act to incorporate the Virginia Transit Company and to authorize it to engage in mining, manufacturing and storage, was taken up, twice read, and on motion of Mr. FAIRFAX (the rules being suspended therefor), placed on the calendar.
- ✓ No. 787, House bill entitled an act to amend and re-enact an act entitled an act to amend and re-enact section 605 of the Code, entitled, treasurers to return lists of uncollected taxes and delinquents, approved January 23, 1896, was taken up, twice read, and referred to the committee on finance and banks.
- ✓ No. 788, House bill entitled an act to impose a special license on dealers in pistols and pistol cartridges in the counties of Accomac and Northampton, was taken up, twice read, and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.
- ✓ No. 791, House bill entitled an act to amend and re-enact section 14 of an act to provide for the working and keeping in repair the public roads of the county of Louisa, was taken up, twice read, and on motion of Mr. LITTLE (the rules being suspended therefor), placed on the calendar.
- ✓ No. 801, House bill entitled an act to amend and re-enact sections 70 and 71 of an act, approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons, property and in-

comes, and on licenses to transact business, and imposing taxes thereon, for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses, &c., so as to exempt from the license tax boardinghouse keepers, who keep boarders for a period not exceeding two months, was taken up, twice read, and on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.

No. 789, House bill entitled an act to impose a special license on dealers in cigarettes, in the county of Accomac, was taken up, twice read, and on motion of Mr. LECATO (the rules being suspended therefor), placed on the calendar.

No. 790, House bill entitled an act to authorize the board of school trustees of Newport school district, of Warwick county, to use the district school fund to pay teachers for the session of 1895-'96, or so much thereof as may be necessary, was taken up, twice read, and on motion of Mr. BOYKIN (the rules being suspended therefor), placed on the calendar.

A message was received from the House of Delegates by Mr. HARRISON, who informed the Senate that that house had passed the following joint resolution:

Resolved by the House of Delegates (the Senate concurring), That W. E. Sandridge, of Amherst county, is hereby appointed and elected to fill the vacancy in the electoral board of said county caused by the resignation of Beverley R. Harrison.

On motion of Mr. BROWN (the rules being suspended therefor), was agreed to by the Senate.

Mr. ECHOLS, from the committee on roads and internal navigation, reported without amendment,

No. 432, House bill to amend the charter of Roanoke Mineral Belt Line Railroad Company.

He, from the same committee, reported with amendment,

No. 467, House bill to amend and re-enact section 3725 of the Code of Virginia, of 1887, as amended by an act entitled an act to amend and re-enact section 3725 of the Code of Virginia, as to obstructing or injuring canals, &c., how punished, approved March 3, 1894.

He, from the same committee, reported with amendment,

No. 495, House bill to incorporate the Washington, Warrenton and Western Railroad Company.

He, from the same committee, reported without amendment,

No. 591, House bill to incorporate the Lake Drummond Railway and Hotel Company.

He, from the same committee, reported with recommendation that it do not pass,

No. 212, House bill to amend and re-enact section 1258, Code of Virginia, of 1887, in relation to railroad companies enclosing their road beds with fences and erecting cattle guards.

- ✓ And he, from the same committee, reported without amendment,
† No. 734, House bill to incorporate the Portsmouth, Suffolk, Lake of the Dismal Swamp Electric Railway and Hotel Company.

Mr. MUSHBACH, from the committee on county, city, and town organizations, reported without amendment,

- ✓ No. 633, House bill to authorize the town of Onancock, in the county of Accomac to borrow money.

Mr. WICKHAM, from the committee on finance and banks, reported with recommendation that it do not pass,

- ✓ No. 490, Senate bill to require clubs and corporations to obtain license to sell, dispense, or distribute or give away wines, ardent spirits, malt liquors, or any mixture thereof, alcoholic bitters, bitters containing alcohol, or fruits preserved in ardent spirits.

He, from the same committee, reported without amendment,

- ✓ No. 448, House bill to fix the penalty of the bond of the treasurer of Bedford county, requiring every sixty days statement of collections and payment into the treasurer of the State revenues, and to empower the board of supervisors to recommend to the county court that it demand a new or additional bond.

And he, from the same committee, reported without amendment,

- ✓ No. 772, House bill entitled an act to amend and re-enact chapter 2 of an act approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court's certificate is required, and to repeal section 9 of chapter 2 of this act, relating to liquor licenses.

Mr. SANDS, from the committee on general laws, reported with an amendment,

- ✓ No. 670, House bill for the relief of J. J. Ellis.

He, from the same committee, reported with an amendment,

- ✓ No. 316, House bill to incorporate the Tidewater Telephone Company.

And he, from the same committee, reported with amendments,

- ✓ No. 621, Senate bill for the relief of M. W. Dobson and A. F. Stuart.

The committee on finance and banks presented

- ✓ No. 736, House bill to appropriate money for the purpose of needed improvements around the Lee monument, in the city of Richmond, Va., the property of the State of Virginia.

Mr. FLOOD, by leave, presented

- ✓ No. 737, Senate bill to amend and re-enact sub-division fourth of section 834, in reference to duties of boards of supervisors, which, on his motion, was read the first, ordered to be read a second time, on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. FLOOD, by leave, presented

- ✓ No. 738, Senate bill to amend and re-enact section 1192 of the Code of Virginia, in reference to how repair of turnpikes enquired into; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. LECATO (by request), by leave, presented

- ✓ No. 739, Senate bill to allow the voters of Atlantic district, in Accomac county, to vote on a fence law; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. JONES, by leave, presented

- ✓ No. 740, Senate bill to amend and re-enact section 4 of an act entitled an act to establish a corporation court of the city of Buena Vista, approved February 19, 1892, so as to define more particularly the jurisdiction of said court, and give it concurrent jurisdiction with the county court of Rockbridge county, in certain cases; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. JONES, by leave, presented

- ✓ No. 741, Senate bill to amend and re-enact section 49 of an act entitled an act to provide a charter for the city of Buena Vista, as amended and re-enacted by an act to amend and re-enact sections 3, 5, 17, 33, 35, 42, 44, 46, 49 and 56, of an act entitled an act to provide for a charter for the city of Buena Vista, approved January 31, 1894; which, on his motion, was read the first, ordered to be read a second time, and on his further motion (the rules being suspended therefor), placed on the calendar.

Mr. GREEN (by request), by leave, presented

- ✓ No. 742, Senate bill for the relief of James A. Etter, ex-sheriff of Wythe county; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. FLANAGAN, by leave, presented

- ✓ No. 743, Senate bill for the relief J. L. Randolph; which, on his motion, was read the first, ordered to be read a second time, and referred to the committee on finance and banks.

Mr. CLEMENT, by leave, presented the following:

- ✓ Whereas there is a vacancy in the electoral board of Campbell county, caused by the election of Stephen Adams to the judgeship of said county: therefore,

- ✓ Be it resolved by the Senate (the House of Delegates concurring), That J. J. Truell be, and he is hereby, elected to fill said vacancy on said electoral board of said county of Campbell.

Which, on his motion (the rules being suspended therefor), agreed

to; on his further motion, he was ordered to inform the House of Delegates thereof.

Mr. HAY, by leave, presented the following:

Resolved, That the chair be vacated at 3 P. M. and resumed at 4:30 P. M., and be vacated at 6:30 P. M. and resumed at 8 P. M. on this day, and that only bills which create no discussion shall be considered at the session beginning at 4:30 P. M. and ending at 6:30 P. M.

Which was agreed to.

Mr. McILWAINE, by leave, presented the following:

✓ Resolved, That the clerk of the Senate be authorized to employ an assistant, for a period of forty days after the expiration of the present session, to assist him in preparing the index to the Journal, &c., with the compensation of the first assistant clerk.

Which was agreed to.

Mr. FLOOP, by leave, presented the following:

✓ Whereas on the 29th day of January, 1896, the following joint resolution was agreed to: Whereas a vacancy exists in the commission created by the joint resolution of the General Assembly, entitled "a joint resolution to provide for adjusting with the State of West Virginia the proportion of the debt of the original State of Virginia proper to be borne by West Virginia, for the application of whatever may be received from West Virginia to the payment of those found entitled to the same, approved March 6, 1894," by reason of the death during the present session of this General Assembly of the Hon. Taylor Berry, formerly chairman of the committee on finance and banks of the Senate of Virginia, and there is no specific mode prescribed in said resolution for filling said vacancy: therefore, be it resolved by the House of Delegates (the Senate concurring), that the vacancy so occasioned be filled by the election by the Senate of Virginia of one of the members of that body to the position made vacant by the death of the Hon. Taylor Berry:

Resolved, That the Senate do now proceed to fill the vacancy so occasioned.

Which, on his motion, was taken up (the rules being suspended therefor), and agreed to.

✓ Mr. WICKHAM nominated the Hon. J. Thompson Brown of Nelson, who was elected to fill the vacancy by the following vote—ayes, 33; noes, none.

Senators who voted for J. THOMPSON BROWN, are—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hay, E. H. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Snead, St. Clair, Turnbull, Wickham, Williams, and Withers—33.

A message was received from the House of Delegates by Mr. BARTEN, who informed the Senate that that house was ready on its part

to proceed with the execution of the joint order, for the election of a judge for the county of Princess Anne.

On motion of Mr. SNEAD, that he inform the House of Delegates that the Senate was also ready on its part to proceed.

For judge of the county of Princess Anne, Mr. SNEAD nominated John J. Woodhouse.

There being no additional nominations, it was

Ordered, That Mr. SNEAD inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. NEWBERNE, who informed the Senate that no additional nomination had been made in that house.

The roll was then called, with the following result:

For John J. Woodhouse,	-	-	-	-	31
For W. J. Whitehurst,	-	-	-	-	1

Senators who voted for JOHN J. WOODHOUSE, are—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flood, Green, Hale, Hay, E. H. Jackson, Jones, Jordan, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Snead, St. Clair, Stubbs, Turnbull, Wickham, and Withers—31.

Senator who voted for W. J. WHITEHURST—Mr. Flanagan—1.

The PRESIDENT appointed Messrs. BOYKIN and G. W. JACKSON as a committee to meet a similar committee on the part of the House of Delegates and count the joint vote, who, through their chairman, reported:

Whole number of votes cast,	-	-	-	-	112
Necessary to a choice,	-	-	-	-	57
Of which J. J. Woodhouse received	-	-	-	-	99
And W. J. Whitehurst	-	-	-	-	13

John J. Woodhouse having received the majority of all the votes cast, was declared duly elected judge of the county of Princess Anne for the legal term thereof.

Mr. STUBBS, from the committee on public institutions and education, made the following reports:

To the Senate Committee of Public Institutions and Education;

GENTLEMEN :

The undersigned, a sub-committee appointed to visit and examine the State Normal and Collegiate Institute and the Central State Hospital at Petersburg and the State Female Institute at Farmville, respectfully beg leave to report as follows:

We visited the first-named institution on February 6th. Our visit and examination of this school was a matter of great pleasure to your committee, and we believe it is an institution of which the State may be justly proud. We passed through and examined carefully all the various departments of the building, even to the sleeping-rooms of the pupils; saw the classes at work; looked into the sanitary conditions of the grounds and buildings, and found everything well and

✓ efficiently managed. We were especially interested in the efforts made in the line of industrial education, added to the regular curriculum of studies, and we think that in the matter of penmanship this institution is not excelled by any literary school in the country. We regret to have to say that the original construction of the buildings was imperfect and faulty; that several of the walls have cracked badly, and that two of the gables are dangerous and demand early attention. We believe if this is not done portions of the buildings may collapse. We ascertained that such repairs as are immediately necessary can be made on an appropriation of about \$700. We would suggest also that the buildings should be insured, which can be done at a cost of \$625 for three years. We, therefore, recommend an appropriation of \$1,325, in addition to the present appropriation of \$15,000. There are now three hundred pupils in attendance, and the present appropriation is, we are informed, \$5,000 less than formerly.

✓ We next visited the State Central Hospital, where we were met by the executive committee. Under the direction of the chairman, we examined carefully into the accounts of the institution, the system of book-keeping adopted, &c. We next visited the several wards, under the guidance of the hospital staff, and were forcibly impressed with the wisdom displayed in this effort to segregate and provide for the colored insane of Virginia. The total number of patients treated during the present year makes up a daily average of nearly eight hundred. We desire to call especial attention to the efforts made in behalf of the epileptics of this institution, within the limited and imperfect means at the disposal of the management. The application of business principles to the government of a State institution has apparently been brought to a condition of perfection by the executive committee, and we unhesitatingly commend the hospital as worthy of the State.

✓ We visited on the following day, the State Female institute, at Farmville. This is an institution of which the State has long been proud, and very justly so, from the investigation prosecuted by your sub-committee. Several improvements have been made during the past two years, and others are in contemplation. The attendance is very large, and under the efficient supervision of the principal, aided by a corps of able teachers, this institution promises much to the State for the future. That the Legislature will continue to foster this institution with appropriate assistance, is unhesitatingly the recommendation of your sub-committee.

Respectfully,

GEO. W. LECATO,
JOS. W. SOUTHALL.

Gentlemen of the Senate Committee of Public Institutions :

✓ Your sub-committee appointed to visit the Normal School, at Hampton, and that of William and Mary College, beg to submit the following report :

On the 17th ultimo your committee proceeded to Hampton and gave a full and thorough inspection of this institution. It affords the committee great pleasure to be able to say that we found everything in connection with the institution and work of the school, such as to commend it to our most cordial approbation, and we heartily recommend a continuance of the aid that has heretofore been afforded to it by the Commonwealth of Virginia.

✓ On the 18th ultimo your committee visited the College of William and Mary. The committee found the faculty and students doing good work. We recommend this institution to the fostering care of the State, and that the assistance hitherto afforded, be continued.

All which we respectfully submit.

JOS. W. SOUTHALL.

To the President of the Senate :

Your committee visited the Virginia Agricultural and Mechanical College on February 8, 1896.

✓ The impression made upon your committee as to the conduct and aims of this institution was of the most favorable nature. The professors and officers of the institution seem fully alive to the importance of the work they have on hand, and under their management the school has made great progress in all lines, and greatly increased the number of students.

✓ The military department of the school makes a most creditable showing, and is under supervision of a United States army officer. New buildings have been erected for mess and commencement halls, for dormitories and professors' houses, and still further improvements are needed to fully equip this school to accommodate its increasing patronage.

The lack of adequate water facilities is a serious drawback to this institution. No protection against fire is offered with the scant water supply available, nor is there sufficient for the uses of the various departments of the school.

This school offers, at very low cost, the opportunities for thorough training in the science of agricultural and mechanical pursuits, and equips young men with a thorough knowledge of the latest and most valuable discoveries in these lines.

The United States government furnishes the money for experiment station work and for the running expenses of the college, and the State of Virginia is only called upon to furnish suitable accommodations.

This school is placed in reach of people of moderate means and the poor, and furnishes a most valuable training to many who would otherwise be denied opportunity for advancement.

GEO. B. KEEZELL,
M. H. CLAYTOR,
GEO. T. SNEAD.

To the President of the Senate:

✓ The sub-committee of the committee of public institutions and education of the Senate, in company with a like committee of the House, visited the Southwestern Hospital, at Marion, on February 7th, and report that they made an examination into the workings of said institution, and were very favorably impressed with its management. The efficiency of the superintendent, officers and attendants is manifest in the care with which all departments of the institution are managed. The books of the institution were examined, and the system of book-keeping is commended. Your committee were particularly impressed with the plan of having the patients congregate in large dining-rooms for their meals. A new building, of a capacity as great as any of the buildings at the institution, has been erected out of the appropriations of the last two fiscal years, made for support account. The amount for this building was saved from the support fund, without detriment to the inmates of the institution. This building, with a capacity of about 120 patients, has been most substantially erected of good material and in the most modern and approved manner, at a cost but little, if any, more than half the cost of similar buildings at said institution. In the judgment of your committee, the crowded condition of the institution fully justified the expenditure in the erection of this building. The hospital seems to be working very well indeed, and is most favorably located, with an abundant supply of the best of water for all purposes, and coming to the institution by gravitation. The superintendent asks for an additional appropriation for repairs and furnishing the new building, &c., and your committee is of opinion that repairs are needed, especially as to the floors in some of the buildings, and that the furnishing of the new building must be provided for from some source, or its erection will be of no practical use to the State.

GEO. B. KEEZELL,
M. H. CLAYTOR,
GEO. T. SNEAD.

✓ No. 568, Senate bill amending certain sections of the Code in reference to lunatic hospitals, &c., being the special order of the day, was postponed until 8 P. M.

✓ No. 160, House bill to prevent gambling and selling or making books, pools, or mutuels within the Commonwealth of Virginia, Mr. SANDS called up out of its order, by the following vote—ayes, 28; noes, 10.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Fairfax, Flanagan, Flood, Green, Hale, G. W. Jackson, Jones, Jordan, Keezell, LeCato, Lowry, Mason, Maynard, McCune, McIlwaine, Parr, Sands, Snead, St. Clair, Turnbull, Williams, and Withers—28.

NOES—Messrs. Echols, Hay, E. H. Jackson, Kane, Little, Lovenstein, Morris, Mushbach, Stubbs, and Wickham—10.

Committee's amendments rejected; Mr. LITTLE proposed an amendment, which was rejected by the following vote—ayes, 7; noes, 28.

AYES—Messrs. Echols, Hay, E. H. Jackson, Kane, Little, Morris, and Stubbs—7.

NOES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Fairfax, Flanagan, Flood, Green, Hale, G. W. Jackson, Jones, Jordan, Keezell, LeCato, Lowry, Mason, Maynard, McCune, McIlwaine, Parr, Sands, Snead, St. Clair, Turnbull, Williams, and Withers—28.

Mr. McILWAINE then called the previous question, which was agreed to by the following vote—ayes, 24; noes, 10.

AYES—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Flanagan, Flood, Hale, G. W. Jackson, Jones, Jordan, Kane, LeCato, Mason, Maynard, McCune, McIlwaine, Parr, Sands, Snead, St. Clair, Turnbull, Williams, and Withers—24.

NOES—Messrs. Echols, Green, Hay, E. H. Jackson, Keezell, Little, Morris, Mushbach, Stubbs, and Wickham—10.

The substitute proposed by Mr. LITTLE was then taken up and rejected by the following vote—ayes, 10; noes, 26.

AYES—Messrs. Echols, Fairfax, Hay, E. H. Jackson, Kane, Little, Morris, Mushbach, Stubbs, and Wickham—10.

NOES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Flanagan, Flood, Green, Hale, G. W. Jackson, Jones, Jordan, Keezell, LeCato, Lowry, Mason, Maynard, McCune, McIlwaine, Parr, Sands, St. Clair, Turnbull, Williams, and Withers—26.

✓ The bill was then read the third time and passed with its title by the following vote—ayes, 29; noes, 4.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Lowry, Mason, Maynard, McCune, McIlwaine, Parr, Sands, St. Clair, Turnbull, Williams, and Withers—29.

NOES—Messrs. Hay, E. H. Jackson, Little, and Mushbach—4.

On motion of Mr. SANDS, he was ordered to inform the House of Delegates thereof.

Mr. MORRIS stated that he was paired with Mr. TREDWAY, who, if he were present, would vote "Aye," and he would vote "No."

Mr. WICKHAM stated that he was paired with Mr. SOUTHALL, who, if he were present, would vote "Aye," and he would vote "No."

✓ No. 135, Senate bill to take the sense of the people upon the call

✓ of a convention to revise and amend the Constitution, was taken up, read the third time, and passed with its title by the following vote—ayes, 22; noes, 15.

✓ **AYES**—Messrs. Barnes, Boykin, Brown, Clement, Echols, Green, Hale, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Maynard, McIlwaine, Parr, Sands, Snead, Stubbs, Turnbull, Williams, and Withers—22.

NOES—Messrs. Buchanan, Claytor, Fairfax, Flanagan, Flood, Hay, G. W. Jackson, Jones, Lowry, Mason, McCune, Morris, Mushbach, St. Clair, and Wickham—15.

✓ No. 498, House bill to prohibit winter racing in the State of Virginia, was taken up, read the third time, committee's amendments agreed to, and passed with its title by the following vote—ayes, 37; noes, none.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, St. Clair, Stubbs, Turnbull, Wickham, Williams and Withers—37.

NOES—None.

✓ No. 461, House bill to prevent pool selling, and so forth, upon the results of any trials of speed of any animals or beasts taking place without the limits of the Commonwealth, was taken up, read the third time, and passed with its title by the following vote—ayes, 36; noes, none.

AYES—Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, St. Clair, Stubbs, Turnbull, Wickham, Williams and Withers—36.

NOES—None.

On motion of Mr. SANDS, he was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. Lewis, who informed the Senate that that House had passed

✓ No. 781, House bill entitled an act to provide for opening and working of roads and keeping the same in repair, and to provide for erecting and maintaining bridges, in the county of Culpeper; which, on motion of Mr. HAY, was taken up, read the third time, and passed with its title.

✓ No. 606, House bill entitled an act to incorporate the trustees of the Whosoever Home and Farm, was taken up, read the third time, and passed with its title.

✓ No. 700, Senate bill to permit Dr. C. W. Berry to practice dentistry in Virginia, was taken up, read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. BUCHANAN (two-thirds concurring), read the third

time and passed with its title; on his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ No. 536, Senate bill to extend the time for the completion of the Virginia Western Coal and Iron Company, was taken up, read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. BUCHANAN (two-thirds concurring), read the third time and passed with its title; on his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ No. 613, Senate bill to amend and re-enact sections 1586 and 1592 of the Code of Virginia in relation to the Virginia Agricultural and Mechanical College, was taken up, and, on motion of Mr. MAYNARD, the substitute proposed for the bill was agreed to, and ordered to be engrossed and read a third time; and being forthwith engrossed, was, on his further motion (two-thirds concurring), read the third time and passed; on his further motion, the title was amended.

- ✓ Mr. LITTLE, from the committee on privileges and elections, made the following report in case of Hubard vs. Flood; which was agreed to and ordered to be printed :

To the Senate of Virginia :

- ✓ The charges made by R. T. Hubard touching the election of H. D. Flood, in the eighteenth senatorial district, have been carefully considered by your committee and are unsupported by any proper or legal evidence. They are clearly contradicted by the answer of Mr. Flood and the affidavits filed with said answer.

No depositions were taken according to law. Section 152, of the Code of Virginia, requires depositions to be begun within fifteen days and concluded within twenty days after the election, and provides that "neither party shall have the benefit of any deposition not taken within the time specified and limited." This Mr. Hubard failed utterly to do.

The committee could not properly consider the affidavits filed, but at the request of both Mr. Hubard and Mr. Flood it has carefully considered all the papers.

The affidavits filed with Mr. Flood answer fully, and completely exonerate him and the officers conducting the election from all the charges made by Mr. Hubard, and fully establish Mr. Flood's position and his election by a majority of almost one thousand.

The papers make no contest according to law, and Mr. Flood's election to a seat in the Senate from the eighteenth senatorial district is confirmed and ratified.

WM. A. LITTLE, JR.,
R. TURNBULL,
HENRY FAIRFAX,
E. H. JACKSON,
H. S. KANE,
R. E. BOYKIN.

EVENING SESSION.

The following House bills were taken up, read the third time, and passed with their titles:

- ✓ No. 650, House bill to regulate the sale of cider and other intoxicants in the village of Lovingson, in Nelson county.

✓ No. 232, House bill to amend and re-enact section 3780 of the Code in relation to carrying concealed weapons.

✓ No. 671, House bill entitled an act to authorize the board of supervisors of Amherst county to borrow one thousand dollars.

✓ No. 663, House bill entitled an act to amend and re-enact section 3, chapter 537, of an act approved March 1, 1894, Acts of Assembly 1893-94, entitled an act for the working of the county roads of Richmond and Lancaster.

✓ No. 561, House bill entitled an act to prohibit the killing or capturing for sale or offering to sell, or buying in the county of Page any partridges (or quail) for shipment beyond the limits of said county.

✓ No. 610, House bill entitled an act to authorize the Commercial Guarantee Company, of Richmond, Va., to deposit securities with the State treasurer.

✓ No. 617, House bill entitled an act to protect hares (or rabbits) in Essex county.

✓ No. 618, House bill entitled an act to authorize the county court of Wise county to have certain obstructions removed from Guests river, in Wise county.

✓ No. 659, House bill authorizing board of supervisors of Accomac county to levy a tax on real and personal property, in Island district, for the erection of a lock-up on Chincoteague Island, Accomac county.

✓ No. 684, House bill entitled an act to incorporate the Virginia Union University, in the city of Richmond.

✓ No. 619, House bill entitled an act to change the name of Jacksonville magisterial district, in Floyd county, to Court-house district.

✓ No. 686, House bill entitled an act providing for working public roads in Prince Edward county.

✓ No. 681, House bill entitled an act to repeal an act approved February 1, 1894, entitled an act to regulate the killing, capturing, hunting, &c., of partridges and wild turkeys in the county of Lunenburg.

✓ No. 648, House bill to authorize the board of supervisors of the county of Lancaster to increase the salary of the judge of the county court of said county.

✓ No. 653, House bill providing for the working, opening and keeping in repair the roads in the county of Lunenburg, and for the building and keeping in repair the bridges in said county.

✓ No. 658, House bill to prohibit hogs from running at large upon the streets or roads on Chincoteague Island, in Accomac county.

✓ No. 639, House bill entitled an act to make the boundary lines of lots or tracts of land in Capeville magisterial district, in the county of Northampton, a lawful fence.

✓ No. 691, House bill entitled an act providing for the working, opening, and keeping in repair the roads in the counties of Bruns-

wick, Nottoway, and Amelia, and for the building and keeping in repair the bridges in said counties.

✓ No. 568, House bill authorizing the commissioner of direct taxes for the county of Prince George to pay over to the board of supervisors of said county any balance of direct tax fund in his hands, to be used in improvement of public roads of said county, and providing for enforcing payment of same and for refunding any of said fund to persons entitled thereto.

✓ No. 549, House bill entitled an act to incorporate the Occoquan and Mount Vernon Passenger Railway Company.

✓ No. 647, House bill to incorporate the Broadwater Oyster Association, for the following purposes: to promote, by the application of scientific methods, by experimental research, and by all other appropriate means, the propagation, cultivation, and improvement of the oyster; to plant oysters in Virginia waters, on the east or ocean side of Northampton county; to fatten oysters in the artificial parks and elsewhere; to shuck and prepare oysters for the market, and to take, buy, sell, and deal in oysters, clams, and other shell fish.

✓ No. 405, House bill entitled an act to amend and re-enact sections 4071, 4074, and 4075 of the Code of Virginia, in relation to the confinement in jail and release therefrom of persons sentenced or directed by a court of justice to be confined therein in default of the payment of a fine, or fine and cost, or cost, where there is no fine, until such fine, or fine and cost, or costs, be paid, and the release from jail of persons in jail under *capias pro fine*.

✓ No. 515, House bill entitled an act requiring superintendent of penitentiary to keep account of all expenses incurred in delivering convicts to the penitentiary.

✓ No. 396, House bill entitled an act to legalize primary conventions in the counties of Accomac and Northampton.

✓ No. 592, House bill to allow W. J. Woods, treasurer of Giles county, and his deputies, further time for collecting uncollected taxes in Giles county.

✓ No. 690, House bill to allow J. J. Dorden, ex-treasurer of Southampton county, and all his deputies, further time for collecting taxes in Southampton.

✓ No. 669, House bill to amend and re-enact an act approved February 4, 1892, entitled an act to amend and re-enact an act approved December 19, 1891, entitled an act to amend and re-enact chapter 129, extra session, 1887, for the protection of terrapin.

✓ No. 627, House bill for the protection and preservation of certain fish in the Potomac river.

✓ No. 660, House bill to provide for the trial of cases pending in the county court of Warwick county.

✓ No. 477, House bill to protect payments made to the holder of any policy in any accident company, sick benefit company, or any

company of like kind, from levy and distress for any debt due by the insured.

No. 687, House bill entitled an act to amend and re-enact section 1 of an act entitled an act to prescribe the time for holding the courts in the Eighth judicial circuit, approved February 27, 1894.

No. 714, House bill for working, keeping in repair, and building the roads and bridges of Buckingham county.

No. 642, House bill entitled an act to incorporate the McDaniel and Farmville Academy.

No. 702, House bill to regulate the salary and to prescribe certain duties of the police justice of the city of Norfolk, was taken up, read the third time, and passed with its title by the following vote—ayes, 29; noes, none.

AYES—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Echols, Green, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Sands, St. Clair, Stubbs, Turnbull, Wickham, Williams, and Withers—29.

NOES—None.

No. 285, House bill entitled an act to amend and re-enact an act approved February 29th, 1894, to regulate the killing or capturing of game, &c., was taken up, and, on motion of Mr. KEEZELL, the Senate recedes from its amendment.

No. 233, House bill to amend and re-enact section 3160 of the Code of Virginia in relation to the pay and mileage of jurors, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

On motion of Mr. GREEN, he was ordered to inform the House of Delegates thereof.

No. 487, House bill to incorporate the Nassawadox Lumber and Barrel Manufacturing and Building Company, in the county of Northampton, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

On motion of Mr. LECATO, he was ordered to inform the House of Delegates thereof.

No. 572, House bill to incorporate the Tobacco Warehousing and Trading Company, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

On motion of Mr. WITHERS, he was ordered to inform the House of Delegates thereof.

No. 625, House bill entitled an act to compensate school trustees, other than clerks of district school board, in Dickenson, Buchanan and Wise counties, was taken up, read the third time; on motion of Mr. KANE amended and agreed to; on motion of Mr. ST. CLAIR, was further amended and agreed to, and passed; and, on motion of Mr. KANE, title amended, and on his further motion, he was ordered to inform the House of Delegates thereof.

No. 614, House bill entitled an act to provide that the Clintwood

✓ sub-district, in Dickenson, be, and the same is hereby, made a school district, to be known as the Clintwood school district, and to provide for building a school house and raising funds for same, was taken up, read the third time, on motion of Mr. KANE amended, and passed with its title.

✓ No. 688, House bill entitled an act to amend and re-enact section 1 of an act entitled an act to prevent trapping and seining in New river and its tributaries, approved February 23, 1894, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

✓ No. 576, House bill entitled an act to amend the charter of the city of Newport News, Virginia, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

✓ No. 486, House bill to remove the political disabilities of W. P. Bugg, was taken up, read the third time, and rejected by the following vote—ayes, 20; noes, 7.

AYES—Messrs. Barnes, Boykin, Clement, Echols, Flood, Green, Jordan, Kane, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, Morris, Mushbach, Sands, Stubbs, Wickham, and Williams—20.

NOES—Messrs. Flanagan, Hale, Hay, G. W. Jackson, Keezell, McIlwaine, and Turnbull—7.

✓ Mr. McILWAINE moved to reconsider the vote by which the bill was rejected, which was agreed to.

✓ Mr. WICKHAM moved to pass by. Agreed to.

No. 594, House bill to allow James Lennis Shoemaker to change his name, was taken up, read the third time, and rejected.

✓ No. 638, House bill to authorize Frank Tunstall Clark, of the city of Norfolk, to change his name, was taken up, read the third time, and rejected.

✓ No. 569, House bill for the relief of M. P. Fulcher, of the county of Floyd, was taken up, read the third time, and passed by the following vote—ayes, 22; noes, none.

✓ AYES—Messrs. Barnes, Boykin, Clement, Echols, Flanagan, Flood, Green, Hale, Hay, Jordan, Kane, LeCato, Little, Lovenstein, Lowry, Maynard, McCune, McIlwaine, Mushbach, Snead, Stubbs, and Wickham—22.

NOES—None.

✓ No. 339, House bill to regulate and license pawnbrokers, junk dealers and dealers in second-hand personal property in the city of Richmond, was taken up, read the third time, committee's amendments agreed to, and passed.

On the motion of Mr. SANDS, he was ordered to inform the House of Delegates thereof.

✓ No. 677, House bill to amend and re-enact section 3537 of the Code, relative to allowance to deputy sergeants of certain cities, was

taken up, read the third time, and recommitted to the committee on finance and banks.

No. 502, House bill to amend and re-enact sections 4 and 6 of an act approved March 5, 1888, entitled an act providing for the subdivision of tracts of lands into lots or parcels, and for the record of plots thereof, was taken up, read the third time, substitute agreed to, and passed with its title.

No. 124, House bill to amend and re-enact sections 3, 8, and 10 of an act entitled an act to amend sections 2, 4, 6 and 10 of an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers and the guarantee and condition upon which they are sold, and fixing the penalties incurred for violations of the same, approved February 24, 1890, amended by an act approved March 8, 1894, was taken up, read the third time, committee's amendments agreed to, and passed, and title amended.

On motion of Mr. FLOOD, he was ordered to inform the House of Delegates thereof.

No. 398, House bill to prohibit the several cities and towns of the Commonwealth from imposing and collecting any tax, fine or other penalty upon persons selling their own farm and domestic products within the limits of any such town or city outside of and from under the regular market-houses and sheds of such towns and cities, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

On motion of Mr. WICKHAM, he was ordered to inform the House of Delegates thereof.

No. 111, House bill to protect game in the county of Bedford, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

No. 268, House bill to amend chapter 192, acts 1893-'94, entitled an act for the protection of certain game in Roanoke county, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

On motion of Mr. CLAYTON, he was ordered to inform the House of Delegates thereof.

No. 585, House bill to amend and re-enact the law for the protection of game in Shenandoah county, Virginia, was taken up, read the third time.

On motion of Mr. KEEZELL, amended and passed, and title amended.

No. 673, House bill to authorize and empower the auditor of public accounts to collect taxes heretofore assessed upon bank stock held by resident and non-resident stockholders, was taken up, read the third time, and passed with its title.

On motion of Mr. WICKHAM, he was ordered to inform the House of Delegates thereof.

No. 675, House bill to amend and re-enact section 17 of an act entitled an act to provide for the assessment of taxes on persons,

✓ property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is required, approved March 6, 1890, was taken up, read the third time, and passed with its title.

On motion of Mr. WICKHAM, he was ordered to inform the House of Delegates thereof.

✓ No. 420, House bill in relation to officers and teachers of the public free schools having any pecuniary benefit in furnishing books, &c., to public free schools in this State, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

✓ No. 346, House bill to regulate the granting of injunctions in certain cases, was taken up, read the third time, and passed with its title.

On motion of Mr. SANDS, he was ordered to inform the House of Delegates thereof.

✓ No. 613, House bill to amend and re-enact section 3716 of the Code of Virginia, 1887, in relation to embezzlement of money, bills, checks, or other property, was taken up, read the third time, and rejected.

✓ No. 110, House bill to amend and re-enact an act entitled an act to amend and re-enact section 4106 of the Code of Virginia, touching the jurisdiction of police justices and justices of the peace as to the trial of offenders in certain cases, approved February 23, 1894, was taken up, read the third time, and passed.

On motion of Mr. BOYKIN, the vote by which the bill was passed was reconsidered, and agreed to. On motion of Mr. Flood, passed by.

✓ No. 480, House bill to amend and re-enact section 3969 of the Code of Virginia, with reference to when a justice to discharge an accused person who is before him for examination, and what to do when there is sufficient cause to charge him, was taken up, read the third time, and passed.

✓ On motion of Mr. BOYKIN, the vote by which the bill was passed was reconsidered, and, on his further motion, the bill was amended and passed with its title.

✓ No. 580, Senate bill to authorize the auditor of public accounts and governor to fix the compensation to be paid to the special agent of the State for instituting suits and superintending the collection of amounts due the State from two of the former treasurers of Bedford county, was taken up, twice read, and ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. LOWRY (two-thirds concurring), was read the third time, and passed with its title, by the following vote—ayes, 31 ; noes, none.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Flanagan Flood, Green, Hale, Hay, G. W. Jackson, Jordan, Kane, LeCato, Little, Lovenstein, Lowry, Mason, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, St. Clair, Stubbs, Wickham, and Williams—31.

NOES—None.

On his further motion, he was ordered to inform the House of Delegates thereof.

No. 515, Senate bill to amend and re-enact section 819 of the Code of Virginia, in relation to county, city and district officers, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 644, Senate bill to amend and re-enact section 3 of the charter of the town of Louisa, Virginia, was taken up, read the second time, and, on motion of Mr. LITTLE, indefinitely postponed.

No. 649, Senate bill to amend and re-enact section 1 of an act entitled an act to prescribe the times for holding the circuit courts of the sixth judicial circuit since the addition thereto of the counties of Amherst and Nelson, as provided by an act approved February 5, 1896, approved February 17, 1896, was taken up, read the second time, and, on motion of Mr. BROWN, indefinitely postponed.

No. 651, Senate bill to amend and re-enact sections 1767 and 1769, Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 1767 and 1774, as amended and re-enacted by an act approved March 2, 1894, relating to the practice of dentistry, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 677, Senate bill for working, keeping in repair and building the roads and bridges of Buckingham county, was taken up, read the second time, and indefinitely postponed.

No. 681, Senate bill to amend and re-enact section 18, chapter 3, of an act entitled an act to change the name of the town of Goodson to the city of Bristol, and provide a new charter for the same, approved February 12, 1890, was taken up, read the second time, ordered to be engrossed, read the third time, and being forthwith engrossed; on motion of Mr. BUCHANAN (two-thirds concurring), read the third time, and passed with its title. On his further motion, he was ordered to inform the House of Delegates thereof.

No. 493, House bill entitled an act to authorize the United States government to acquire title to and jurisdiction over certain lands at Cape Henry and Cape Charles, Virginia, for the purpose of fortifications and coast defence, was taken up, read the third time, and passed with its title, by the following vote—ayes, 33; noes, none.

AYES—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jones, Jordan, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Mushbach, Parr, Sands, Snead, Stubbs, Turnbull, Wickham, Williams, and Withers—33.

NOES—None.

✓ The PRESIDENT laid before the Senate a communication from the State board of building commissioners, which, on motion of Mr. STUBBS, was laid on the table and ordered to be printed.

COMMONWEALTH OF VIRGINIA.

OFFICE OF THE STATE BOARD OF BUILDING COMMISSIONERS,
Richmond February 27th, 1896.

To the General Assembly of Virginia:

GENTLEMEN:

✓ I have the honor to submit the report of the State Board of Building Commissioners.

The State Library building has been completed and is now occupied by the State Officers, Court of Appeals, &c.

Since the report to your honorable bodies, dated November 20th, 1893, by which it is shown, that up to October 1st, 1893, \$43,513.48 had been expended, the Board has spent for construction, completion, and furnishing of the State Library building the sum of \$199,005.66, making the total cost of construction and furnishing, \$242,519.14.

The cost of construction was	\$218,124 13
The amount appropriated for this purpose was.....	200,000 00

Amount in excess of appropriation expended.....	\$18,124 13
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The act authorizing the construction of the State Library building required it to be erected upon the grounds of the Capitol Square, and the Board selected the site, which, in its judgment, would least destroy and affect the general appearance and symmetry of the Square. The Board being advised that a portion of the site selected was made ground, the architect prepared his plans for deep foundation walls, and a contract for the erection of the building, according to said plans, for a sum within the appropriation, was entered into. After the walls had been erected to a considerable height, water began to flow within the space embraced by the walls and it required the expenditure of nearly \$12,000 to conduct the water beneath the walls to the nearest sewer and secure a firm foundation.

The Board found it necessary to erect fire-proof vaults in the offices of the Treasurer and Second Auditor, in which could be stored, for safe-keeping, the bonds, securities and other valuable papers in their custody. The cost of these vaults was \$6,000.

The cost of furnishing the building was.....	\$24,395 01
The amount appropriated for this purpose was.....	20,000 00

Amount in excess of appropriation expended.....	\$4,395 01
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The Board, in response to a resolution of the Senate, informed that honorable body that, in its judgment, an appropriation of \$20,000 would be adequate to furnish the building and move the records of the various departments into their respective offices, &c.

The judgment of the Board was based upon inquiries made of the several departments as to the amount necessary for this purpose, yet, in nearly every instance, the estimates furnished were inadequate, and to furnish the several offices and court of appeals with the furniture suitable and requisite for the proper transaction of business, it was necessary to expend the amount spent for furniture.

To defray the cost of the building and its equipment, and in compliance with the act of March 3, 1892, the Board of Public Works has paid into the Treasury, subject to the order of this Board, the sum of \$4,576.42, since our last report. This Board has sold at public auction the building in the city of Richmond, formerly used by the Court of Appeals for its sittings, for the sum of \$4,700.00, on the following terms: one-third cash, and the balance in bonds of the purchaser for equal amounts due one, two and three years from date of sale, bearing interest at six per centum per annum, title to be retained until the whole of the purchase money

be paid. The purchasers have complied with the terms of sale, and the cash payment of \$1,566.68 has been paid into the Treasury to the credit of this Board.

The Board recommends an appropriation of \$600.00 for the purchase of a card catalogue for the State Library, which is very essential to the completion of the furnishing of the Library.

The Board will be pleased to have a committee of your honorable bodies to examine its expenditures.

Respectfully submitted,

CHAS. T. O'FERRALL,
Governor and ex-officio President of the Board.

A message was received from the House of Delegates by Mr. ———, who informed the Senate that that house had passed with amendments, Senate bill No. 149, to amend and re-enact section 3680 of the Code of Virginia, in reference to rape and its punishment.

On motion of Mr. WICKHAM, the House amendments were agreed to, and on his further motion he was ordered to inform the House of Delegates thereof.

No. 543, Senate bill to regulate the sale of cider and other intoxicants in the village of Lovings-ton, Nelson county, was taken up, read the third time, and indefinitely postponed.

The hour of six-thirty having arrived a recess was taken until eight P. M.

NIGHT SESSION.

The following report from the committee of conference was agreed to:

The conference committee on the disagreeing votes of the two Houses on Senate bill No. 132, beg to submit the following report:

(1) That the House recede in part from its amendment to said bill.

(2) That the Senate do not insist on said bill, but

(3) That the accompanying be adopted as a substitute for both the Senate bill and the House amendment thereto, being a compromise amendment of the Bland bill.

Respectfully submitted,

CHARLES P. JONES,

JAMES HAY,

On Part of Senate.

G. C. BLAND,

RANDOLPH HARRISON,

On Part of House.

A message was received from the House of Delegates by Mr. HARRISON, who informed the Senate that they had passed, with amendments,

No. 670, Senate bill to amend and re-enact section 1 of an act

entitled an act to authorize certain persons, when arrested or convicted, to be committed to the custody of the Prison Association of Virginia, approved March 4, 1890.

- ✓ On motion of Mr. McILWAINE, the amendments were agreed to; and, on his further motion, he was ordered to inform the House of Delegates thereof.

Mr. ECHOLS, from the committee on roads and internal navigation, reported with a substitute,

- ✓ No. 640, Senate bill to amend and re-enact section 8 of an act entitled an act to incorporate the Southwestern Railroad Company of Virginia, approved February 27th, 1894.

Mr. STUBBS, from the committee on public institutions and education, reported with amendment,

- ✓ No. 730, Senate bill to authorize the corporation of Bedford City, Va., to make a donation to the State of Virginia to locate an institution for the education of the deaf and dumb or blind at or near Bedford City.

- ✓ The bill was subsequently taken up, read the third time, and passed with its title.

And he, from the same committee, reported with amendment,

- ✓ No. 731, Senate bill to authorize the board of supervisors of Bedford county to make a donation to the State of Virginia to locate an institution for the deaf and dumb or blind at or near Bedford City.

- ✓ A message was received from the House of Delegates by Mr. MAUPIN, who informed the Senate that that House had agreed to the following joint resolution:

- ✓ Resolved (the Senate concurring), that a committee of conference, consisting of two on part of the Senate and two on the part of the House, to consider the disagreeing votes of the two houses on Senate bill No. 509, entitled an act to provide for a method of the better assessment of personal property under the control of fiduciaries and the several courts of the Commonwealth.

- ✓ The chair appointed Messrs. SANDS and FLOOD on the part of the Senate as the committee to meet a similar committee on the part of the House of Delegates.

- ✓ Mr. SANDS, from the joint conference on Senate bill 509, made the following report:

- ✓ We, the conference committee appointed by joint resolution to consider the disagreeing votes of the two houses on Senate bill No. 509, recommend that the House recede from so much of the first amendment proposed by them by omitting the following in line four: "And the judges of the Chancery Court of Richmond city, and the judge of the Law and Equity Court of the same city."

- ✓ In line eleven, "and courts," and in line fourteen, "and said courts of Richmond city," and that the House recede from the amendments *two, three and four* adopted by them.

Which was agreed to.

- ✓ No. 725, Senate bill to amend and re-enact an act entitled an act

to amend and re-enact section 3828 of the Code of Virginia, in relation to the sale of intoxicating liquors to minors or certain students, approved February 5, 1896, was taken up, read the second time, and rejected.

Mr. FLOOD presented the following resolution :

Resolved, That the debate on No. 280, House bill, be limited to twenty minutes to a side.

Which was agreed to.

Mr. WICKHAM presented the following resolution :

Resolved, That when the Senate adjourn, it adjourn to meet on Monday morning at ten o'clock A. M.

Which was agreed to.

No. 628, House bill to authorize and empower the judge of the county court of Powhatan, to convey a plot of land forty feet square in the court green of the aforesaid county to the Powhatan Troop Association, was taken up, read the third time, and passed with its title.

No. 448, House bill to fix the penalty of the bond of the treasurer of Bedford county, requiring every sixty days statement of collections and payment into the treasury of the State revenues, and to empower the board of supervisors to recommend to the county court that it demand a new or additional bond, was taken up, read the third time, and passed with its title.

No. 280, House bill to amend and re-enact an act to authorize the county of Powhatan to change the form of the bonds subscribed to the Farmville and Powhatan Railroad Company, approved December 19, 1889, and to amend the same so as to allow the board of supervisors of said county to refund the conditional bonds and the interest thereon, was taken up, read the third time, and passed with its title.

Mr. STUBBS, from the special joint committee to investigate the charges preferred against the Deaf, Dumb and Blind Institution at Staunton, presented the following report :

RICHMOND, VA., FEBRUARY 28, 1896.

To the General Assembly of Virginia :

On January —, 1896, the following joint resolution was adopted :

"Resolved by the House of Delegates, (the Senate concurring), That a committee of three on the part of the House and two on the part of the Senate be appointed to inquire into and report upon the charges preferred against the Institution for the Deaf, Dumb and Blind, by one John L. Randolph, of Norfolk, as published in the Richmond papers of the 18th and 19th insts.

That said committee shall begin its investigation immediately; be empowered to sit during the session of the General Assembly; to send for such persons and papers as it may need, and, if necessary, to visit the city of Staunton for the purposes of its investigation."

On January 27th your committee commenced the investigation, in obedience to the above resolution, and now respectfully submits the following report with the evidence taken before the committee.

1. That the immoral conduct of Mr. — — Yates in 1890, while a teacher of the Institute, with Miss Riggs, is sustained by the evidence.

Mr. ——— Yates left the Institute in 1892 and went to Arkansas, where he now resides.

2. The charge of immorality of Mr. Bear, one of the teachers in 1894, with Miss Hogwood, a pupil, is not sustained.

3. The improper use of whiskey by Mr. Humbert and Mr. McCambridge, now teachers in the Institute, is sustained.

4. Professor Euritt, one of the teachers now in the Institute, in years back, had been a hard drinker, but the evidence is clear that he has reformed, and has not drank for about three years.

5. The charge of cruelty of teachers to pupils is not sustained by the evidence.

6. The evidence does not sustain the charge that Capt. Thomas Doyle is a hard drinker, but it is a fact that the pupils know that Captain Doyle does occasionally take a drink, and it seems to make a bad impression on the pupils.

As to the charge of Captain Doyle not being faithful and attentive to his duties as Principal, it is not sustained by the evidence. In this connection, the evidence warrants the conclusion, that not the slightest suspicion rests on Captain Doyle as to any immoral conduct toward the female pupils; but as soon as he heard of the Yates-Riggs matter, he at once made an investigation, and came to the conclusion that there was no foundation for the report. Then the Board of Visitors made an examination of the Yates-Riggs matter, and came to the same conclusion. Your committee will here state, that, in the investigation of the Yates-Riggs matter made by Captain Doyle and the Board of Visitors, the evidence adduced was different from that your committee now presents to the General Assembly on this point.

7. The financial management of the Institute, by both Principal and Board of Visitors, is decidedly good.

8. The evidence is conclusive, that there is bad feeling existing between some of the teachers and the Principal, and friction and want of harmony among the Board of Visitors, some of the teachers testifying that they could not recommend the school to parents having afflicted children, and one of the members of the Board testifying, also, that he could not patronize the school, and he would not recommend the same.

9. It is also true that, pending this investigation, one pupil has been taken away from this Institute by her parents.

10. The management of this Institution has materially improved within the past two years.

11. It is also in evidence that there has been a lack of harmony among the Board of Visitors since 1888. That these facts existing, what is the best to be done to cure the evils. After this long investigation and the findings aforesaid, your committee is of the opinion that the future usefulness of this Institution demands a thorough re-organization and recommends the adoption of the following resolution:

Resolved, That the Deaf, Dumb and Blind Institute be re-organized as provided in the bill accompanying, and made a part of this report.

J. N. STUBBS,
B. F. BUCHANAN,
HOWARD HATHAWAY,
S. H. WALKER,
C. H. HARRISON.

Mr. MORRIS moved to amend the report; which was rejected.

Mr. SANDS moved to amend, which was also rejected.

The committee's report was then agreed to.

On motion of Mr. STUBBS, the committee's bill accompanying the report (the rules being suspended therefor) was taken up, read the second, ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), passed with its title.

Mr. LECATO, by leave, presented the following resolution:

To appoint a committee to investigate and report upon a certain

survey made under an act approved February 26, 1894, with reference to the riparian rights on Fox Island, in Accomac county.

Which was taken up, committee's amendments agreed to, and passed with its title.

On motion of Mr. LECATO, he was ordered to inform the House of Delegates thereof

On motion of Mr. KEEZELL, the Senate adjourned until ten o'clock, Monday morning.

MONDAY, MARCH 2, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Journal of Saturday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In the House of Delegates, February 29, 1896.

The House of Delegates has passed Senate bills entitled an act to amend and re-enact chapter 598 of the Acts of the General Assembly of Virginia, approved March 3, 1894, entitled an act in relation to working and keeping in repair the roads and bridges of Alexandria county, No. 313; an act to amend and re-enact sections 3, 7, and 8 of an act entitled an act to incorporate the Madison and Orange Railroad Company, approved February 26, 1894, No. 547; an act to enable the board of supervisors of the county of Isle of Wight to borrow money to meet the current expenses of the said county for the year 1896, No. 598; an act to authorize and empower the board of supervisors of Campbell county to issue bonds for the purpose of refunding the debt incurred by said county in subscribing to the stock of the Lynchburg, Halifax, and North Carolina Railroad, under act of February 12, 1886, No. 628; an act to authorize the Petersburg Railroad Company to discontinue the maintenance and use of its station and any portion of its present line of railway within the city of Petersburg upon certain conditions, No. 660; an act to amend and re-enact section 5 of an act entitled an act to create a board of excise commissioners for Alexandria county, approved March 2, 1894, No. 378; an act to incorporate the Southeastern and Atlantic Railroad Company, No. 512; an act to incorporate the Waynesboro and Basic City Railway Company, and to authorize and empower the said company to acquire and operate the street railway and franchises constructed and operated by J. W. Marshall and his associates under grants from the municipal authorities of the town of Waynesboro and Basic City, in the county of Augusta, No. 558; an act to require corporations to furnish for record in the clerk's office of the county court of Wythe county the names of their

officers and directors, and prescribing the penalty for failure to do so, No. 115; an act to amend and re-enact sections 1714, 1715, 1717, 1724, and 1725, Code of Virginia, in relation to the powers, duties, and compensation of the State Board of Health, and to make an appropriation for maintaining the same, No. 152; an act to provide for better school facilities in the county of Craig, and a levy of a special tax therefor, No. 438; an act to incorporate the Citizens' Deposit Bank, No. 440; an act to fix the price at which the Code of 1887 shall be sold, No. 470; an act to incorporate the Stonewall Jackson Institute, at Abingdon, Va., No. 519; an act to amend and re-enact section 1842 of the Code, as amended and re-enacted by an act entitled an act to amend and re-enact section 1842 of the Code of Virginia, in relation to sale by samplers and others of unclaimed tobacco in warehouses in the city of Richmond, and disposition of the proceeds, approved March 3, 1890, No. 533; an act to incorporate the Young Men's Christian Association of Newport News, Va., No. 556; an act to amend and re-enact an act approved February 23, 1888, as amended by an act entitled an act to amend and re-enact the charter of the town of Waynesboro, approved January 26, 1892, and to authorize said town to issue bonds for water and cemetery purposes, No. 620; an act to incorporate the Border Mutual Benefit Association of Danville, Va., No. 582; an act to incorporate the Manchester Light and Fuel Company, No. 597; an act to incorporate the Peninsular Gas, Light, Fuel, and Power Company, No. 656; an act to add independent sections to an act entitled an act to amend the charter of the town of Fredericksburg, approved March 23, 1871, No. 685; an act to extend to the Mutual Telephone Company of the city of Petersburg, a corporation chartered by the hustings court of the said city, and now operating an exchange therein, the privileges granted by sections 1287, 1288 and 1289 of the Code of Virginia, to telephone companies chartered by this State, No. 687; an act to amend and re-enact section 40 of an act entitled an act to amend the charter of the city of Alexandria, approved February 20, 1891, as amended by an act approved March 22, 1871, and by an act approved the 17th day of March, 1876, and by an act approved March 20, 1877, and by an act approved January 25, 1879, and by an act approved March 1, 1888, and by an act approved February 25, 1892, and by an act approved March 8, 1894, No. 713; an act for the relief of Mrs. Elizabeth Covington, widow of a Confederate soldier, No. 23; an act for the relief of William Gunter, a disabled Confederate soldier, of Patrick county, Va., No. 66; an act to allow a pension to Susan A. Rickman, of Halifax, No. 79; an act for the relief of Mrs. E. S. Howard, widow of a Confederate soldier, No. 398; an act to authorize the council of the town of Waverly to establish cemeteries or burial-places within or without said town, and to validate a certain deed conveying land to said town for that purpose, No. 684; an act to incorporate the Citizen League of America, No. 682; an act to amend and re-enact an act

approved February 26, 1896, entitled an act to authorize the Road Board of Central District, in Rockingham county, to establish a toll-gate on the Dry River road in said county, No. 683; an act to incorporate the Atlantic, Winchester and Western Railroad Company, No. 584; an act to amend and re-enact section 31 of an act entitled an act to provide a new charter for the town of Pocahontas, No. 696; an act to authorize E. W. Warburton to erect a wharf, dock or pier on his tract of land called Fish House, in James City county, on James river, No. 428; an act to incorporate the Blue Ridge Railroad Company, No. 500; an act to amend and re-enact sections 1 and 6 of an act entitled an act to incorporate the Mineral Belt Railroad Company, approved January 18, 1896, No. 549; an act to authorize the increase of the capital stock of the Portsmouth Street Railway Company, No. 554; an act providing for working public roads in Prince Edward county, No. 652; an act to amend and re-enact section 1 of a charter granted to the Chase City Mineral Water and Development Company on the 16th day of June, 1890, by the judge of the circuit court of Mecklenburg county in vacation, No. 689; an act to amend and re-enact section 33 of an act entitled an act to amend the charter of the city of Alexandria, approved February 20, 1871, as amended by an act approved March 22, 1871, and by an act approved the 17th day of March, 1876, and by an act approved March 20, 1877, and by an act approved January 25, 1879, and by an act approved March 1, 1888, and by an act approved February 25, 1892, and by an act approved March 8, 1894, No. 712; an act to incorporate the American Stemming-Machine Company, No. 645; an act to amend and re-enact an act approved February 27, 1894, prescribing the time for holding the Circuit Courts in the several counties comprising the Fifteenth Judicial Circuit of Virginia, No. 606; an act to allow a pension to Sarah Rights, of Patrick county, No. 148; an act for the relief of George W. Bledsoe, of Madison county, Virginia, No. 171; an act for the relief of J. E. Allbrook, a wounded Confederate soldier of Prince Edward county, Virginia, No. 323; an act to increase the number of Governors for the Masonic Home of Virginia, No. 655; an act to amend and re-enact an act entitled an act fixing the time for holding courts in the Third Judicial Circuit, approved February 20, 1890, No. 671; an act to incorporate the American Annuity Order of the City of Richmond, No. 643; an act to amend and re-enact section 8 of an act entitled an act incorporating the town of Barton Heights, in Henrico county, approved January 30, 1896, No. 668; an act to amend section 7 of an act entitled an act to incorporate the Masonic Home of Virginia, approved January 7, 1890, No. 676; an act providing for the working, opening and keeping in repair the roads in the county of Cumberland, and for the building and keeping in repair the bridges in said county, No. 675; an act to authorize the board of supervisors of Bland county to levy a tax for the purpose of repairing the public roads in said county, No. 607; an act to punish

the illicit traffic in intoxicating liquors in the counties of Wythe, Carroll and Grayson, No. 579; an act directing the auditor of public accounts to place the name of Andrew Austin on the pension list, No. 441; an act for the relief of Dulaney Malone, a Confederate veteran, of Washington county, No. 485; an act to amend and re-enact section 3251 of the Code of Virginia, relating to forms of actions and declarations on policy of insurance, No. 548; an act for the relief of Samuel P. Moseley, a disabled Confederate soldier, No. 504; an act to relieve Robert H. Armistead, a disabled Confederate soldier, of Cumberland county, Virginia, No. 559; an act to incorporate the Lake Drummond Railway and Hotel Company, No. 586; an act for the relief of J. H. Wingfield, No. 571; an act to amend and re-enact an act of the General Assembly of Virginia, approved January 30, 1896, entitled an act requiring the auditor of public accounts to make a statement annually showing an accounting of the county and city treasurers with the State, who are in arrears, and prescribing the manner in which the same shall be made public, No. 707; an act for the relief of the sureties of John M. Dawson, late treasurer of James City county and the city of Williamsburg, and also granting to said John M. Dawson an extension of time within which to distrain for, levy and collect tax bills now in his hands, No. 538; an act to amend and re-enact section 556 of the Code, prescribing when commissioners to return lists of licenses to auditor, and what list to contain, No. 592; an act for the relief of C. D. Diggs, late deputy treasurer for the county of Cumberland, No. 362; an act to incorporate the Norfolk Lumber Company, No. 641; an act to provide for the manner of electing certain district officers in the county of Rockingham, No. 433; an act for the relief of the sureties of W. S. Gravely, late treasurer of Henry county, No. 199; an act to amend and re-enact an act entitled an act to amend and re-enact section 3044 of the Code of Virginia, in relation to counties and districts of the county court judges, approved December 21, 1891, No. 249; an act to authorize the Board of Trustees of Margaret Academy, in Accomac county, to hold meetings with less than a quorum of its members, No. 599; an act suspending time for redeeming lands sold for delinquent taxes and bought by the Auditor, in cases where proceedings in equity have been instituted by parties interested in such lands, No. 617; an act for the relief of R. T. Sears, one of the sureties of John H. Sears, late treasurer of Mathews county, No. 705; an act to amend section 2 of a charter granted to the John G. Hurkamp Company on the 7th day of August, 1895, by the judge of the Circuit Court of Fredericksburg, in vacation, and to confirm and approve and ratify such charter as amended, and all its provisions, No. 732.

They have agreed to the substitute of the Senate to House joint resolution in reference to appointing and electing electoral board for Warwick county; they have agreed to Senate joint resolution in reference to filling a vacancy in the electoral board of Rocking-

ham; they have agreed to the report of the joint committee on the disagreeing votes of the two houses on Senate bill, No. 132, in relation to allowances made by courts; they have passed with amendments in the nature of substitutes, Senate bills enacted an act to require the clerks of the circuit courts for the several counties in the State to keep their offices open for the transaction of business, No. 243; and an act to amend and re-enact sections 2, 3, 4 and 5 of an act approved May 6, 1837, entitled an act to incorporate the Portsmouth street railway company, and to authorize the increase of its capital stock, No. 609.

They have passed with amendments, Senate bills entitled an act to amend an act to incorporate the Old Dominion Telephone Company, approved February 28, 1894, and to change the name to the Old Dominion Telephone Power and Light Company, No. 320; an act to incorporate the American Milk Company, No. 467; an act to amend and re-enact sections 1 and 2 of an act to incorporate the town of Dayton, Rockingham county, approved March 9, 1880, as amended by an act entitled an act to amend and re-enact an act to incorporate the town of Dayton, approved March 9, 1880, and all acts amendatory thereof, approved February 29, 1892, and to add an independent section empowering the town council of said town to negotiate a loan not to exceed five thousand dollars, No. 664; they have agreed to the amendments of the Senate to House bills entitled an act to amend and re-enact an act entitled an act to require the payment of fees on certain charters, approved February 10, 1890, as amended by an act approved February 28, 1890, and further amended and re-enacted by an act approved January 22, 1894, No. 47; an act to exempt from taxation the property of Green Hill Cemetery Company, near Berryville, Virginia, No. 132; an act to authorize land owners to erect and maintain gates across private roads, No. 218; an act to amend and re-enact section 2042 of the Code of 1887, as amended by chapter 307 of the Acts of Assembly of 1887-'88, approved March 1, 1888, entitled an act in relation to trespass by cattle, &c., No. 334; an act to amend and re-enact the special road law of Fauquier county, adopted at session of General Assembly 1875-'76, and amended by acts of 1876-'77, 1878-'79, 1883-'84, and 1884, No. 425; an act to prevent cruelty to children and to regulate and provide for their control and custody in certain cases, No. 451; and an act to incorporate Virginia Coal and Iron Company, with privileges of constructing and operating railroads, No. 548.

They have passed House bills entitled an act to incorporate the Cottage Farm Live Stock and Fair Association, No. 792; an act to provide for the payment out of the treasury for losses sustained by destruction of property and expenses incurred to prevent the spread of small-pox from an epidemic of that disease prevalent in the Indian Reservation of the Pamunkey Tribe of Indians, No. 803; an act to amend and re-enact an act, approved March 22, 1871, to in-

✓ incorporate the town of Blacksburg, Virginia, and to provide a new charter for same, No. 804; an act for working and keeping in repair the public roads in Norfolk county, No. 814; an act for the relief of Mrs. Edward Starkey, the widow of a Confederate soldier, No. 825; an act for the relief of Mrs. Stephen Jones, the widow of a Confederate soldier, No. 828; an act for the relief of A. K. Milam, a disabled Confederate soldier, No. 827; an act to relieve Green Jones, of Brunswick county, No. 831; an act for the relief of James J. Johnson, of Greensville county, a disabled Confederate soldier, No. 839; an act for the relief of M. F. Duff, No. 752; and an act to amend and re-enact an act approved February 28, 1890, entitled an act to amend and re-enact an act to amend and re-enact an act approved February 3, 1888, entitled an act to amend and re-enact section 8 of chapter 61 of the Code of Virginia, as amended by an act approved March, 9, 1890, as amended by an act approved March, 30, 1887, as amended by an act approved May 21, 1887, to amend and re-enact section 12 of said chapter 61 of the Code of 1873, which is section 1196 of the Code of Virginia in relation to turn-pike companies, No. 626.

In which amendments, substitutes, and bills they request the concurrence of the Senate.

l A message was received from the House of Delegates by Mr. SAUNDERS, who informed the Senate that that house had passed the following joint resolution:

c Resolved (the Senate concurring), That the present session of the General Assembly be extended for a period not exceeding three days; provided, that no business of any legislative character shall be done by either house after the adjournment of each house this day.

l Which, on motion of Mr. STUBBS, was temporarily passed by.

l A message was received from the House of Delegates by Mr. MAY, who informed the Senate that that house had passed the following joint resolution:

l Resolved (the Senate concurring), That Robert Walker, Robert R. Veach, and William Reed be, and they are hereby, appointed and elected members of the electoral board of the county of Alexandria.

l On motion of Mr. MUSHBACH, the joint resolution was amended as follows:

l That J. Middleton White, Chas. B. Marshall, and Edgar Thompson be, and they are hereby, appointed and elected members of the electoral board of the city of Alexandria.

l Which was agreed to.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment,

l No. 582, House bill to amend and re-enact section 814 of the

Code, as amended by Acts of Assembly 1893-94, in relation to bonds of officers.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

He, from the same committee, reported without amendment,

✓ No. 680, House bill to amend and re-enact section 814 of the Code of Virginia, as amended by an act approved February 23, 1894, prescribing the penalties of bonds of county officials.

The bill was subsequently taken up, read the third time, and passed with its title.

✓ No. 792, House bill entitled an act to incorporate the Cottage Farm Live Stock and Fair Association, was taken up, twice read, and on motion of Mr. HAY (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

✓ No. 803, House bill entitled an act to provide for the payment out of the treasury for losses sustained by destruction of property and expenses incurred to prevent the spread of small-pox from an epidemic of that disease prevalent in the Indian reservation of the Pamunkey tribe of Indians, was taken up, twice read, and on motion of Mr. BARNES (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, read the third time, and passed with its title by the following vote—ayes, 29; noes, 1.

✓ AYES—Messrs. Barnes, Brown, Claytor, Clement, Echols, Flanagan, Flood, Green, Hale, Keezell, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—29.

NOES—Mr. Jones—1.

✓ No. 804, House bill entitled an act to amend and re-enact an act approved March 22, 1871, to incorporate the town of Blacksburg, Va., and to provide a new charter for same, was taken up, twice read, and on motion of Mr. FLOOD (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

✓ No. 814, House bill entitled an act to amend section 8 of an act entitled an act for working and keeping in repair the public roads in Norfolk county, approved February 1, 1894, was taken up, twice read, and on motion of Mr. FLOOD (the rules being suspended therefor), placed on the calendar.

✓ The bill was subsequently taken up, read the third time, committee's amendments agreed to, and passed with its title.

On motion of Mr. MAYNARD, he was ordered to inform the House of Delegates thereof.

✓ No. 825, House bill entitled an act for the relief of Mrs. Edward

- ✓ Starkey, the widow of a Confederate soldier, was taken up, twice read, and on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.
- ✓ No. 828, House bill entitled an act for the relief of Mrs. Stephen Jones, the widow of a Confederate soldier, was taken up, twice read, and on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.
- ✓ No. 827, House bill entitled an act for the relief of A. K. Milam, a disabled Confederate soldier, was taken up, twice read, and on motion of Mr. TREDWAY (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.
- ✓ No. 831, House bill entitled an act to relieve Green Jones, of Brunswick county, was taken up, twice read, and on motion of Mr. TURNBULL (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.
- ✓ No. 839, House bill entitled an act for the relief of James J. Johnson, of Greenville county, Va., a disabled Confederate soldier, was taken up, twice read, and on motion of Mr. TURNBULL (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.
- ✓ No. 752, House bill entitled an act for the relief of M. F. Duff from a license tax to practice dentistry, was taken up, twice read, and referred to committee on finance and banks.
- ✓ No. 626, House bill entitled an act to amend and re-enact an act approved February 28, 1890, entitled an act to amend and re-enact an act approved February 3, 1888, entitled an act to amend and re-enact section 8 of chapter 61 of the Code of Virginia, as amended by an act approved March 9, 1890, as amended by an act approved March 30, 1887, as amended by an act approved May, 21, 1887, to amend and re-enact section 12 of said chapter 61 of the Code of 1873, which is section 1196 of the Code of Virginia, in relation to turn-pike companies, was taken up, twice read, and on motion of Mr. WICKHAM (the rules being suspended therefor), placed on the calendar.
- ✓ The bill was subsequently taken up, read the third time, and passed with its title.
- ✓ No. 243, Senate bill to require the clerks of the circuit courts for the several counties in this State to keep their offices open for the

transaction of business, was taken up, and the House amendments in form of a substitute agreed to.

✓ No. 609, Senate bill to amend and re-enact sections 2, 3, 4, and 5, of an act approved May 6, 1887, entitled "an act to incorporate the Portsmouth Street Railway Company," and to authorize the increase of its capital stock, was taken up, and the substitute proposed by the House of Delegates agreed to.

✓ No. 320, Senate bill to amend an act to incorporate the Old Dominion Telephone Company, approved February 28, 1894, and to change the name to the Old Dominion Telephone Power and Light Company, was taken up, and the amendments proposed by the House of Delegates agreed to.

✓ No. 467, Senate bill to incorporate the American Milk Company, was taken up, and the amendments proposed by the House of Delegates agreed to.

✓ No. 664, Senate bill to amend and re-enact sections 1 and 2 of an act to incorporate the town of Dayton, Rockingham county, approved March 9, 1880, as amended by an act entitled an act to amend and re-enact an act to incorporate the town of Dayton, approved March 9, 1880, and all acts amendatory thereof, approved February 29, 1892, and to add an independent section empowering the town council of said town to negotiate a loan not to exceed five thousand dollars, was taken up, and the amendments proposed by the House of Delegates agreed to.

Mr. JONES, by leave, presented the following :

Resolved, That the chair be vacated to-day at 3 o'clock P. M., and resumed at 4:30 P. M., and that it be again vacated at 6:30 o'clock, and resumed at 8 o'clock P. M.

Which was agreed to.

Mr. MAYNARD, from the library committee, presented

✓ No. 744, Senate bill directing the librarian to turn over certain relics to the Confederate Memorial Literary Society, was taken up, and on motion of Mr. STUBBS, read the second time and ordered to be engrossed, and being forthwith engrossed, read a third time and passed with its title, and on his further motion he was ordered to inform the House of Delegates thereof.

Mr. STUBBS presented the following :

✓ Resolved by the Senate (the House of Delegates concurring), That the rooms now occupied by the "commissioner of agriculture" in the library building, be used for the law library rooms, and the "commissioner of agriculture" remove his office to the basement of the capitol; the present law library rooms, in the new library building, be fixed up as committee rooms, and the register of the land office (superintendent of public buildings) be, and he is hereby, directed to have this resolution executed and all necessary improvements be made to have the various departments properly fixed.

✓ This joint resolution shall be in force from its passage, which was agreed to by the following vote—ayes, 31; noes, none.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Green, Hale, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Little, Lovenstein, Lowry, Mason, McCune, Morris, Parr, Sands, Snead, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Williams—31.

NOES—None.

And he was ordered to inform the House of Delegates thereof.

Mr. JONES, from the committee for courts of justice, reported without amendment.

✓ No. 525, House bill to provide more effectually for the punishment of vagrants.

✓ The bill was subsequently taken up, read the third time, and passed with its title.

✓ House joint resolution in reference to the appointment of a committee looking to the care of epileptics, was taken up, and on motion of Mr. LECATO, read the third time and passed with its title, and on his further motion he was ordered to inform the House of Delegates thereof.

✓ Mr. JONES asked that the committee on general laws be discharged from the further consideration of Senate bill, No. 670.

Which was agreed to.

✓ No. 567, Senate bill to prevent deception and manufacture and sale of imitation butter, was taken up and read the third time. Mr. STUBBS moved to pass by, which was rejected by the following vote—ayes, 6; noes, 16.

AYES—Messrs. Boykin, G. W. Jackson, Jones, Maynard, McCune, Stubbs—6.

NOES—Messrs. Barnes, Clement, Fairfax, Flood, Green, Keezell, Lowry, Mason, Morris, Mushbach, Parr, Sands, Snead, Turnbull, Williams, and Withers—16.

✓ Mr. WICKEAM moved to limit debate to fifteen minutes on a side. Which was agreed to.

✓ The bill was then taken up, read a third time, and passed with its title by the following vote—ayes, 24; noes, 6.

✓ **AYES**—Messrs. Barnes, Buchanan, Clement, Fairfax, Flood, Green, Hale, E. H. Jackson, G. W. Jackson, Jordan, Keezell, Little, Mason, Morris, Parr, Sands, Snead, Southall, St. Clair, Tredway, Turnbull, Wickham, Williams and Withers—24.

NOES—Messrs. Boykin, Claytor, Echols, Jones, LeCato, Maynard—6.

On motion of Mr. SANDS title was amended, and on his further motion he was order to inform the House of Delegates thereof.

✓ No. 267, House bill entitled an act prescribing rules which shall govern the appellate courts of the State of Virginia in considering applications for, and the granting of, new trials in criminal cases, was taken up and read the third time.

Mr. BUCHANAN proposed a substitute for the bill which was rejected by the following vote—ayes, 17; noes, 20.

AYES—Messrs. Barnes, Flood, Green, Hale, Jordan, Keezell, Lowry, Mason, Parr, Sands, Southall, St. Clair, Stubbs, Tredway, Turnbull Williams, and Withers—17.

NOES—Messrs. Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, E. H. Jackson, G. W. Jackson, Jones, Kane, LeCato, Little, Maynard, McIlwaine, Morris, Mushbach, Snead, and Wickham—20.

Mr. WICKHAM proposed the following resolution :

Resolved, That only uncontested matters shall be considered for the residue of this session.

Which was agreed to.

Mr. WITHERS offered the following amendment :

Add the words, " As soon as House bill 212 is disposed of," which was rejected by the following vote—ayes, 10 ; noes, 24.

AYES—Messrs. Buchanan, Clement, E. H. Jackson, G. W. Jackson, Keezell, St. Clair, Tredway, Turnbull, Williams, and Withers—10

NOES—Messrs. Barnes, Boykin, Brown, Echols, Fairfax, Flood, Green, Jones, Jordan, Kane, LeCato, Little, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, Stubbs, and Wickham—24.

Mr. MORRIS proposed the following amendment :

" But this resolution shall not apply to House bill 105;" which was rejected by the following vote—ayes, 14 ; noes, 20.

AYES—Messrs. Brown, Claytor, Hale, E. H. Jackson, G. W. Jackson, Jones, Lowry, Mason, McCune, Morris, Parr, Snead, Turnbull, and Williams—14.

NOES—Messrs. Barnes, Boykin, Buchanan, Echols, Fairfax, Flanagan, Flood, Green, Jordan, Kane, LeCato, Little, Lovenstein, McIlwaine, Mushbach, Sands, St. Clair, Stubbs, Tredway, and Wickham—20.

Mr. SANDS proposed the following substitute :

Resolved, That after the hour of four o'clock this afternoon only uncontested matters shall be considered for the residue of the session.

Mr. KEEZELL proposed the following amendment to the substitute :

" Unless it becomes apparent that an election law may be agreed upon by the two houses."

Mr. FLANAGAN proposed the following :

Add, " and in event of such adoption such election bill shall be considered "; which was agreed to by the following vote—ayes, 21 ; noes, 17.

AYES—Messrs. Buchanan, Claytor, Clement Flanagan, Green, Hale, E. H. Jackson, G. W. Jackson, Kane, Keezell, LeCato, Mason, McCune, McIlwaine, Morris, Parr, Sands, St. Clair, Tredway, Williams, and Withers—21.

NOES—Messrs. Barnes, Boykin, Brown, Echols, Fairfax, Flood, Jones, Jordan, Little, Lovenstein, Maynard, Mushbach, Snead, Southall, Stubbs, Turnbull, and Wickham—17.

✓ The substitute as amended was then rejected, and the vote then recurring upon the resolution of Mr. WICKHAM,

✓ Mr. KEEZELL presented again the same amendment proposed to the SANDS' substitute, and the resolution as amended by Mr. KEEZELL was agreed to by the following vote—ayes, 26; noes, 11.

AYES—Messrs. Barnes, Buchanan, Claytor, Echols, Fairfax, Flanagan, Flood, Green, Hale, Jordan, Kezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Parr, Snead, St. Clair, Stubbs, Tredway, Wickham, and Withers—26.

NOES—Messrs. Boykin, Brown, Clement, E. H. Jackson, G. W. Jackson, Kane, Morris, Mushbach, Sands, Turnbull, and Williams—11.

✓ Mr. JONES stated that he was paired with Mr. HAY, who, if he was present, would vote "Aye," and he would vote "No."

A message was received from the Governor by his private secretary, which, on motion of Mr. STUBBS, was referred to the committee on finance and banks.

RICHMOND, VA., *March 2nd, 1896.*

To the General Assembly :

✓ Your session has nearly expired by limitation; unless it is extended legislation must cease at noon on to-morrow.

You have been most assiduous in the discharge of your duties and faithful in the performance of the high trust reposed in you. In your service you have displayed an earnestness and zeal and a devotion to the best interests of the Commonwealth, which has been generally characteristic of Virginia's legislators.

Knowing that you are tired and worn and anxious to return to your families and private business, I am loathe to suggest an extension of your session for even a single day, but my sense of duty impels me—duty to the living and the dead, duty to Virginia's history and Virginia heroes as well as her fame—to recommend and urge an extension long enough to pass at least three measures.

First. A bill appropriating a sum sufficient to maintain in the Soldiers' Home all of the present inmates. I understand that if the present appropriation of \$30,000 is not increased the Board of the Home will be compelled, for want of money, to send away twenty-five of the inmates who are now being maintained and supported there. If this is done, what will become of these old veterans? Where will they go; who will care for them? Penniless and homeless, they must become beggars or pensioners upon private charity, or seek shelter under the roof of the poor-houses of their respective counties. Should they be made to suffer such humiliation? Is Virginia to be reproached for ingratitude, which in the language of a great man sums up all the evil of which a State can be guilty? Is she to stand before the world as turning away from an eleemosynary institution twenty-five of her old soldiers who gave four of the best years of their lives in the defence of a cause which she espoused, and are now bending under infirmities resulting from advanced age or disease contracted or wounds inflicted in her service? Will Virginia, with her 1,700,000 population, place herself in the humiliating position of refusing to take care of twenty-five decrepid and poverty-stricken men who, in the vigor of their manhood, risked their lives and bared their breasts to the leaden hail of battle, in the vindication of her rights and the maintenance of her honor?

"Blow, blow, thou winter wind, thou art not so unkind"

As a State's ingratitude.

"Freeze, freeze, thou bitter sky, thou dost not bite so nigh"

As services and sacrifices forgot.

Second. A bill making an appropriation for the enclosure and preservation of the Lee Monument.

This is the property of the State, accepted by the State from the Monument Association. Neither the city of Richmond nor any private person can expend money on it. In accepting it, Virginia, impliedly at least, entered into an obligation to preserve it and protect it from the vandal's hand, as well as improve and beautify the little plat upon which it stands. Its neglected condition to-day is a disgrace to the State, and a reproach to every Virginian. Every stranger wends his way to this spot, expecting, of course, to see evidences of a people's pride and love in its care and protection, finding, however, only a superb monument unveiled six years ago, in an open field without an inch of curbing or a foot of grass around it, no railing and a dilapidated shanty called a keeper's house. In June next there will be a mighty gathering of the surviving soldiers of the Confederate army in this Capital City of the Confederacy. They will come from every State, and by the thousands. Not one of them will depart until he has visited the monument erected to perpetuate the memory of their great commander. How these old veterans, visiting most of them for the last time this sacred spot, will be disappointed and grieved when they discover that the Commonwealth that gave birth to this illustrious man, and who has added so much lustre to her history, has paid no attention to this memorial reared by private donations, and without the contribution of a cent from her treasury. Can we afford to be placed in such a position, and subject ourselves to the criticism which will necessarily follow? Will not our State, pride as well as our love for the memory of Robert E. Lee, prompt us to take steps at once to properly care for, preserve and protect this splendid work of art commemorative of him "who was a Cæsar without ambition, a Frederick without tyranny, a Napoleon without selfishness, and a Washington without his reward."

Third. A bill appropriating a reasonable sum for the copying of the Confederate rolls deposited in the War Department at Washington.

This will not only be a simple act of justice to the brave men who made the Confederate flag glorious, and to their children who are proud of their deeds, but it is necessary for the truth of history. Already this has been delayed too long. Virginia has no record of the name of her soldiers in the late war. She has preserved the rolls of former wars in which her sons were engaged. Can she care less for the rolls of 1861 to 1865? Is she willing to let the names of her sons who stormed the tide of battle from Bethel to Appomattox fade and disappear, or the records of them remain subject to the ravages of time in the custody of those who care nothing for them, and have no interest in their preservation? As the executive of this Commonwealth, it is my duty to respectfully insist upon such legislation as may be necessary to secure copies of archives involving so much of importance to the State, as the Confederate rolls. I feel that I owe it to the soldiers who are living, and to the descendants of those who are dead, to insist that these records shall be copied and the names of all, from the highest officers to the humblest privates, preserved among the things which this Commonwealth most treasures.

Most respectfully but earnestly I recommend that bills for the purposes indicated be passed.

The first should be for an amount sufficient to maintain and support the twenty-five inmates of the Soldiers' Home, who must be discharged unless the present appropriation is increased.

The second should be for \$500.00, or so much thereof as may be necessary.

The third should be for \$5,000, or so much thereof as may be necessary; one-half payable this year and the other half next year.

All of course to be paid out of money in the treasury not otherwise appropriated.

I know such action upon your part will meet with the hearty approval of the people of Virginia.

CHARLES T. O'FERRALL, *Governor.*

Subsequently, Mr. WICKHAM, from the committee on finance and banks, made the following report in reference to the Governor's message, which was agreed to, and both message and report ordered to be printed.

*To the Honorable R. C. KENT,
President of the Senate :*

The Finance Committee, to which was referred the special message of the Governor, dated March 2nd, 1896, beg leave to report as follows:

1. That the Committee had already considered the matter of the additional appropriation to the Soldier's Home, and, in view of the straightened condition of the State Treasury, had concluded that it would be unwise to increase the appropriation. This appropriation is now \$30,000, annually.

Your committee was not unmindful of the wants of the Confederate veterans, and, in addition to the general appropriation of \$110,000 and the \$30,000 above referred to, have recommended the passage of a number of special bills, granting pensions to maimed and disabled Confederate soldiers, sailors and marines, and to the widows of maimed and disabled Confederate soldiers, sailors and marines.

In that way, it was the judgment of the committee, that greater good to the greater number could be accomplished than could possibly be done by any increased appropriation to the Soldier's Home, where the appropriation is based upon an allowance of \$150 per man.

Your committee was impelled to this reason because of the fact, that, in its judgment, the present condition of the finances of this State would not justify the General Assembly in granting both the increase asked for by the Managers of the Soldier's Home and give the special relief asked for.

It was understood, that this conclusion of the committee was approved by the action of the Senate, and that this body believes that no relief can be given to a greater number of Confederate veterans, who are as dear to this body as they are to any person on earth, than was given by the action of the committee.

Your committee is also under the impression that this is the view taken by the House of Delegates, and points to the action of the House, voting down the increased appropriation, as an evidence that it is of one mind with the Senate on this point.

2. Your committee has already recommended the passage of a bill in regard to the preservation of the Lee Monument, and the same has passed the Senate and been communicated to the House of Delegates.

3. The condition of the State Treasury is such that the copying of the rolls of Confederate soldiers cannot now be provided for; but the same can be done at some future day, when the Treasury is better able to bear the expense, and there is no danger of the rolls being lost in the meantime.

Mr. McILWAINE, from special committee to examine official bonds, etc., made the following report, which, on motion of Mr. JONES, was ordered to be spread in the journal.

*To the Hon. ROBERT C. KENT,
President of the Senate of Virginia :*

We, the undersigned, members of the committee to examine bonds of public officers, respectfully report that we have performed the duty devolving on us by examining the bonds of the auditor of public accounts, treasurer, secretary of the Commonwealth, register of the land office, public printer and superintendent of the penitentiary. All of these bonds appear to be legally valid with sufficient sureties, but we are impressed with the fact that there is great dissimilarity in the forms of these bonds, and of the acknowledgement of the makers thereof. This is not as it should be, and we recommend that the attorney-general prepare a form to which all bonds given in future by the above-named officers shall be required to conform.

Respectfully submitted,

WM. B. McILWAINE,
CHARLES P. JONES,
CONWAY R. SANDS.

February 28, 1896.

The following House bills were taken up, read the third time, and passed with their titles:

- ✓ No. 296, House bill to punish as for a misdemeanor a person using abusive language to another.
- ✓ No. 571, House bill prescribing how a person riding a bicycle shall pass a vehicle or person on horseback on the public highways and bridges, and providing penalties.
- ✓ No. 683, House bill entitled an act to provide for the working and keeping in repair the roads and bridges of Charlotte county.
- ✓ No. 710, House bill entitled an act to authorize the trustees to sell the Borings Chapel Church property in Lee county.
- ✓ No. 712, House bill entitled an act to provide for the working and keeping in repair the public roads and bridges in the counties of Northumberland and Westmoreland.
- ✓ No. 723, House bill entitled an act protecting and enlarging the powers of the Pulaski Agricultural and Mechanical Association.
- ✓ No. 727, House bill entitled an act to incorporate the town Potomac, in Prince William county.
- ✓ No. 729, House bill entitled an act to change the name of Millers voting precinct in Amherst county to Allwood voting precinct.
- ✓ No. 737, House bill entitled an act to place the ferry across New River at Ripplemead, Giles county, Virginia, commonly known as Snidow's and Mason's Ferry, under the control of the general laws governing ferries in this State.
- ✓ No. 739, House bill entitled an act to incorporate the New River Bridge Company.
- ✓ No. 740, House bill entitled an act to authorize E. A. Morrison, of the city of Petersburg, to erect a wharf on Rappahannock river, in Westmoreland county.
- ✓ No. 745, House bill entitled an act declaring a certain portion of ground in York river, a natural oyster rock.
- ✓ No. 743, House bill entitled an act making amendments to the charter of Clifton Forge.
- ✓ No. 749, House bill entitled an act for the relief of Daniel B. Martin, of Lee county, a disabled Confederate soldier.
- ✓ No. 746, House bill entitled an act to incorporate the Northern Neck Mutual Fire Insurance Company of Virginia.
- ✓ No. 750, House bill entitled an act to place James S. Oden, of Fairfax county, on the pension list of the State of Virginia.
- ✓ No. 751, House bill entitled an act for the relief of John E. Collins, a disabled Confederate soldier.
- ✓ No. 775, House bill entitled an act for the working of convicts at the State farm, upon the public roads in the vicinity of said farm.
- ✓ No. 753, House bill entitled an act for the relief of Byram Hall, a wounded Confederate soldier, of Grayson county.
- ✓ No. 754, House bill entitled an act for the relief of W. M. Nuckols, of the county of Rockbridge.
- ✓ No. 755, House bill entitled an act to place Geo. W. Johnson, of

- Prince William county, on the pension list of the State of Virginia.
- ✓ No. 756, House bill entitled an act for the relief of Robert S. Robertson, a disabled Confederate soldier.
 - ✓ No. 757, House bill entitled an act for the relief of C. S. Burks, a blind Confederate soldier.
 - ✓ No. 758, House bill entitled an act for the relief of Ephraim Williams, a Confederate soldier, of Carroll county.
 - ✓ No. 759, House bill entitled an act to place the name of Benjamin E. Ward, a Confederate soldier, of Lunenburg county, on the pension rolls.
 - ✓ No. 760, House bill entitled an act to place H. C. Harover, of Prince William county, on the pension list of the State of Virginia.
 - ✓ No. 761, House bill entitled an act to place the name of W. W. Mink, of Lee county, on the pension list.
 - ✓ No. 762, House bill entitled an act to authorize Alfred Oury, of Wythe county, to be placed on the pension list.
 - ✓ No. 763, House bill entitled an act for the relief of Granville Kelly, a disabled Confederate soldier.
 - ✓ No. 764, House bill entitled an act for the relief of Nancy Jane Rollins, the widow of a Confederate soldier.
 - ✓ No. 765, House bill entitled an act for the relief of C. M. Hicks, a Confederate soldier.
 - ✓ No. 766, House bill entitled an act for the relief of Starling S. Cooper, of Pittsylvania county, a disabled Confederate soldier.
 - ✓ No. 767, House bill entitled an act for the relief of V. W. Gibson, a disabled Confederate soldier.
 - ✓ No. 768, House bill entitled an act for the relief of David F. Haley, of Pittsylvania county, a disabled Confederate veteran.
 - ✓ No. 770, House bill entitled an act to impose a special license on dealers in cast-off clothing in Accomac and Northampton counties.
 - ✓ No. 774, House bill providing for the reception of patients at the several State hospitals.
 - ✓ No. 776, House bill entitled an act providing for the appointment and removal of coroners, and for the enacting and re-enacting of section 891 of the Code of Virginia, 1887.
 - ✓ No. 790, House bill entitled an act to authorize the board of school trustees of Newport school district, of Warwick county, to use the district school fund to pay teachers for the session of 1895-'96, or so much thereof as may be necessary.
 - ✓ No. 788, House bill entitled an act to impose a special license on dealers in pistols and pistol cartridges in the counties of Accomac and Northampton.
 - ✓ No. 789, House bill entitled an act to impose a special license on dealers in cigarettes, in the county of Accomac.
 - ✓ No. 787, House bill entitled an act to amend and re-enact an act entitled an act to amend and re-enact section 605 of the Code, entitled, treasurers to return lists of uncollected taxes and delinquents, approved January 23, 1896.

- ✓ No. 785, House bill entitled an act to incorporate the Virginia Transit Company and to authorize it to engage in mining, manufacturing and storage.
- ✓ No. 685, House bill to amend and re-enact section 1043 of the Code of Virginia, in order to provide for local assessments.
- ✓ No. 711, House bill entitled an act to prohibit the catching of fish by any person, other than the owner, in any private pond or stream in Southampton county.
- ✓ No. 715, House bill entitled an act to incorporate the Southside Furnace Company of Virginia.
- ✓ No. 736, House bill entitled an act to confirm the organization and corporate existence of, and to grant certain powers to the Washington, Arlington and Falls Church Railway Company.
- ✓ No. 720, House bill entitled an act to incorporate the Halifax Building and Loan Company.
- ✓ No. 657, House bill to incorporate the Smithville Cemetery Company in Charlotte county.
- ✓ No. 732, House bill entitled an act for the relief of A. V. K. Deekins, a student at the University of Maryland, allowing him to receive a temporary certificate to practice dentistry.
- ✓ No. 731, House bill entitled an act to authorize the board of supervisors of Smyth county to increase the salary of county judge.
- ✓ No. 713, House bill entitled an act providing for the working, opening and keeping in repair the roads in the county of Cumberland, and for the building and keeping in repair the bridges in said county.
- ✓ No. 703, House bill entitled an act to incorporate the Newport News Female Seminary.
- ✓ No. 692, House bill to amend and re-enact an act entitled an act to appoint trustees for the Mattaponi tribe of Indians of King William county, and prescribe their duties, approved March 8, 1894.
- ✓ No. 721, House bill entitled an act to incorporate the Society of the Sons of the Revolution in the State of Virginia.
- ✓ No. 716, House bill entitled an act authorizing the election of a town assessor for the town of Covington, in Alleghany county, Va.
- ✓ No. 718, House bill entitled an act to protect pheasants and jack rabbits in the counties of Lancaster, Northumberland, Richmond, Westmoreland and King George.
- ✓ No. 590, House bill to provide for the working and keeping in repair the public roads of Botetourt county.
- ✓ No. 791, House bill entitled an act to amend and re-enact section 14 of an act to provide for the working and keeping in repair the public roads of the county of Louisa.
- ✓ No. 591, House bill to incorporate the Lake Drummond Railway and Hotel Company.
- ✓ No. 432, House bill to amend the charter of Roanoke Mineral Belt Line Railroad Company, Acts of 1893-'94, chapter 189.

- ✓ No. 734, House bill to incorporate the Portsmouth, Suffolk, Lake of the Dismal Swamp Electric Railway and Hotel Company.
- ✓ No. 633, House bill to authorize the town of Onancock, in the county of Accomac, to borrow money.
- ✓ No. 741, House bill entitled an act authorizing the purchasers of the property and franchises of the South Atlantic and Ohio Railroad Company, their assigns and successors, to become a corporation, to adopt a name therefor, and to possess and exercise general powers, and authorizing the leasing to or by, and the consolidation therewith of other corporations.
- ✓ No. 670, House bill for the relief of J. J. Ellis.
- ✓ No. 772, House bill entitled an act to amend and re-enact chapter 2 of an act approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is required, and to repeal section 9 of chapter 2, of this act, relating to liquor licenses.
- ✓ No. 722, House bill entitled an act to amend section 246 of chapter 18, Code of Virginia, in relation to the Secretary of the Commonwealth, furnishing reports of the decisions of the Court of Appeals, was taken up, read the third time, and passed with its title, by the following vote—ayes, 30; noes, none.

Ayes—Messrs. Barnes, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, E. H. Jackson, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, Morris, Mushbach, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Withers—30.

Noes—None.

- ✓ No. 486, House bill to remove the political disabilities of W. P. Bugg, was taken up, read the third time, and passed, by the following vote—ayes, 28; noes, 4.

Ayes—Messrs. Barnes, Boykin, Brown, Buchanan, Clement, Echols, Fairfax, Flood, Green, E. H. Jackson, Jordan, Little, Lowry, Mason, Maynard, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, and Williams—28.

Noes—Messrs. Claytor, Hale, G. W. Jackson, and Keezell—4.

- ✓ No. 543, House bill to amend and re-enact section 2476 of the Code of Virginia of 1887, as amended by an act entitled an act to amend sections 2475 and 2476 of the Code of Virginia, with reference to liens for work done and materials furnished by artisans, mechanics, lumber dealers, and others, approved January 16, 1896, was taken up and read the third time.

✓ Mr. KEEZELL offered a substitute for the bill, which was agreed to, and passed with its title.

✓ On his motion, he was ordered to inform the House of Delegates thereof.

✓ No. 555, House bill entitled an act prescribing certain additional duties to be performed by the superintendent of the poor in Southampton, Clarke, and Fauquier counties, was taken up, read the third time, and, on motion of Mr. BOYKIN, amended and passed.

On his further motion, the title was amended, and, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 674, House bill entitled an act for the relief of the estate of William W. Larkin, deceased, from a forfeited recognizance, was taken up, read the third time, and passed with its title, by the following vote—ayes, 30; noes, 2.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, McCune, McIlwaine, Mushbach, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, and Wickham—30.

NOES—Messrs. Turnbull, and Withers—2.

✓ No. 704, House bill entitled an act to compensate justices of the city of Norfolk for acknowledgment of bail in certain cases, was taken up, read the third time, and rejected.

✓ No. 769, House bill entitled an act to increase the pension of W. A. Trent, of Radford, Virginia, was taken up, read the third time, and passed with its title, by the following vote—ayes, 28; noes, none.

AYES—Messrs., Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Green, Hale, E. H. Jackson, Jordan, Kane, Keezell, Little, Lovenstein, Lowry, Mason, Mushbach, Parr, Sands, Southall, St. Clair, Stubbs, Tredway, Turnbull, and Wickham—28.

NOES—None.

✓ No. 771, House bill entitled an act for the relief of Patrick Fox from certain fines and costs imposed by the county court of Alleghany county, was taken up, read the third time, and passed with its title, by the following vote—ayes, 22; noes, 4.

AYES—Messrs. Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Hale, G. W. Jackson, Jones, Jordan, Kane, Little, Lowry, Mason, McIlwaine, Morris, Sands, Snead, St. Clair, and Stubbs—22.

NOES—Messrs. Keezell, Tredway, Williams, and Withers—4.

✓ No. 783, House bill entitled an act to amend and re-enact the charter of the city of Alexandria, approved February 20, 1871, as amended by an act, &c., was taken up, read the third time, and passed with its title.

On motion of Mr. MUSHBACH, title was amended.

On his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ No. 703, House bill to provide for the appointment of an assistant commissioner of accounts of the corporation court of the city of Norfolk, and define his duties and powers, was taken up, read the third time, and passed with its title.

On motion of Mr. MAYNARD, he was ordered to inform the House of Delegates thereof.

- ✓ No. 708, House bill entitled an act to amend and re-enact section 8 of an act entitled an act incorporating the town of Barton Heights, in Henrico county, was taken up, read the third time, and, on motion of Mr. SANDS, indefinitely postponed.

- ✓ No. 316, House bill to incorporate the Tidewater Telephone Company, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

- ✓ No. 705, House bill entitled an act to amend and re-enact section 28, of chapter 244, of an act approved March 6, 1890, imposing a tax on pedlers of coal and wood in the city of Richmond, was taken up, and read the third time.

- ✓ On motion of Mr. SANDS, amended and passed, and, on his further motion, title amended.

- ✓ No. 709, House bill entitled an act to incorporate the Chesapeake and Fox Hill Railroad Company, was taken up, and read the third time.

On motion of Mr. WICKHAM, amended, and passed with its title.

- ✓ No. 803, House bill to provide for the payment, out of the treasury, for losses sustained by destruction of property and expenses incurred to prevent the spread of small-pox from an epidemic of that disease, prevalent in the Indian Reservation of the Pamunkey Tribe of Indians, was taken up, read the third time, and passed with its title, by the following vote—ayes, 29; noes, 1.

AYES—Messrs. Barnes, Brown, Claytor, Clement, Echols, Flanagan, Flood, Green, Hale, Keezell, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—29.

NOES—Mr. Jones—1.

- ✓ No. 779, House bill to amend and re-enact section 2465 of the Code of Virginia, in relation to contracts, deeds, &c., that are void as to creditors and purchasers unless recorded, was taken up, read the third time, and, on motion of Mr. TURNBULL, passed by.

- ✓ No. 738, House bill to amend and re-enact an act entitled an act to incorporate the Southwestern Railroad Company, approved February 27, 1894, was taken up, read the third time, and passed with its title.

- ✓ No. 110, House bill to amend and re-enact an act entitled an act to amend and re-enact section 4106 of the Code of Virginia, touch-

ing the jurisdiction of police justices and justices of the peace as to the trial of offenders in certain cases, approved February 23, 1894.

✓ On motion of Mr. BOYKIN, the vote by which the bill was passed was reconsidered and amended, and, as amended, read the third time, and passed with its title; and, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 780, House bill entitled an act to amend and re-enact section 7 of an act entitled an act to establish an additional court for the city of Norfolk, and to define its jurisdiction, approved February 12, 1894, was taken up, read the third time, and passed with its title.

On motion of Mr. MAYNARD, he was ordered to inform the House of Delegates thereof.

✓ No. 556, House bill to empower the Board of Supervisors of Southampton, Clarke, and Fauquier counties to make rules concerning the working of criminals sentenced to work on the public roads or farms, or other public works of said counties, and to provide suitable buildings for the care and custody of said criminals, was taken up, and read the third time.

✓ On motion of Mr. BOYKIN, amended, agreed to, and passed.

On his further motion, title amended.

✓ No. 704, House bill to compensate justices of the city of Norfolk for acknowledgment of bail in certain cases, was taken up, read the third time, and passed with its title.

On motion of Mr. SNEAD, he was ordered to inform the House of Delegates thereof.

✓ No. 467, House bill to amend and re-enact section 3725 of the Code of Virginia, of 1887, as amended by an act entitled an act to amend and re-enact section 3725 of the Code of Virginia, as to obstructing or injuring canals, &c., how punished, approved March 3, 1894, was taken up, read the third time, committee's amendments agreed to, and passed with its title.

✓ No. 801, House bill entitled an act to amend and re-enact sections 70 and 71 of an act, approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon, for the support of the government and public free schools, and to pay the interest on the public debt, and prescribing the mode of obtaining licenses, &c., so as to exempt from the license tax boardinghouse keepers, who keep boarders for a period not exceeding two months, was taken up, read the third time, and passed with its title.

✓ No. 553, House bill entitled an act making it lawful for the county courts and justices in Southampton, Clarke, and Fauquier counties to sentence certain criminals to work upon the roads, farms, or other public works in said counties, or on the streets of any town in said counties, and prescribing penalty for persons thus sentenced who escape or attempt to escape, was taken up, read the third time, and, on motion of Mr. BOYKIN, amended and

passed, title amended; and, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 736, Senate bill to provide for the re-organization of the institution for the deaf and dumb and blind, and to repeal chapter 74 of the Code of Virginia, and to repeal chapter 226 of the Acts of Assembly, entitled an act to regulate the appointment of the board of directors of the Deaf, Dumb, and Blind Institute, at Staunton, Va., approved May 14, 1887, was taken up, read the second time, ordered to be engrossed and read a third time, and being forthwith engrossed, on motion of Mr. WICKHAM (two-thirds concurring), was passed with its title, by the following vote—ayes, 37; noes, none.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Sands, Snead, Southall, St. Clair, Stubbs, Turnbull, Wickham, Williams, and Withers—37.

NOES—None.

On his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 615, Senate bill providing for the working, opening, and keeping in repair the roads in the county of Brunswick, and for the building and keeping in repair the bridges in said county, was taken up, read the third time, and, on motion of Mr. TURNBULL, indefinitely postponed.

✓ No. 651, Senate bill to amend and re-enact sections 1767 and 1769, Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 1767 and 1774, as amended and re-enacted by an act approved March 2, 1894, relating to the practice of dentistry, was taken up, read the third time, and passed with its title.

✓ No. 515, Senate bill to amend and re-enact section 819 of Code of Virginia, in relation to county, city, and district officers, was taken up, read the third time, and passed with its title.

The hour of adjournment (3 o'clock P. M.) having arrived, the chair was vacated until 4:30 o'clock P. M.

— EVENING SESSION.

A message was received from the House of Delegates by Mr. SAUNDERS, who informed the Senate that that house had passed the following joint resolution:

✓ Resolved (the Senate concurring), That the present session of the General Assembly be extended for a period of three days, provided, that no business of any legislative character shall be done by either house after the adjournment of each house this day.

The resolution was subsequently taken up, and Mr. MUSHBACH proposed the following amendment:

Resolved by the Senate (the House of Delegates concurring), That the present session of the General Assembly of Virginia be extended until the 9th day of March, 1896, at 12 o'clock noon.

Which was rejected by the following vote—ayes, 16; noes, 19.

AYES—Messrs. Boykin, Brown, Clement, Green, Hale, E. H. Jackson, LeCato, Maynard, Mushbach, Sands, Snead, Southall, Stubbs, Tredway, Williams, and Withers—16.

NOES—Messrs. Barnes, Buchanan, Claytor, Echols, Fairfax, Flood, Hay, G. W. Jackson, Jones, Jordan, Keezell, Little, Lovenstein, McIlwaine, Morris, Parr, St. Clair, Turnbull, and Wickham—19.

Mr. ECHOLS called the previous question.

Mr. STUBBS moved to amend; which was rejected by the following vote—ayes, 14; noes, 25.

AYES—Messrs. Brown, Clement, Green, Hale, E. H. Jackson, LeCato, Mason, McCune, Mushbach, Snead, Southall, Stubbs, Tredway, and Williams—14.

NOES—Messrs. Barnes, Boykin, Buchanan, Claytor, Echols, Fairfax, Flanagan, Flood, Hay, G. W. Jackson, Jones, Jordan, Kane, Keezell, Little, Lovenstein, Lowry, Maynard, McIlwaine, Morris, Sands, St. Clair, Turnbull, Wickham, and Withers—25.

The resolution was then passed by the following vote—ayes, 27; noes, 12.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Echols, Fairfax, Flanagan, Flood, Hay, G. W. Jackson, Jones, Jordan, Keezell, Little, Lovenstein, Lowry, Maynard, McIlwaine, Morris, Sands, Southall, St. Clair, Tredway, Turnbull, Wickham, and Withers—27.

NOES—Messrs. Clement, Green, Hale, E. H. Jackson, Kane, Mason, McCune, Mushbach, Parr, Snead, Stubbs, and Williams—12.

On motion of Mr. LITTLE, he was ordered to inform the House of Delegates thereof.

No. 530, Senate bill to eradicate the San Jose or pernicious scale, a disease affecting fruit trees, and to prevent its spread, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time; and being forthwith engrossed, was, on motion of Mr. GREEN (two-thirds concurring), read the third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

No. 702, Senate bill to vest the title of a certain lot of land in King George in trustees for the use and benefit of Fletcher's Chapel M. E. Church, South, was taken up, read the second time, and on motion of Mr. MASON, indefinitely postponed.

No. 691, Senate bill to permit Matthew Gay to practice dentistry

in Virginia, was taken up, read the second time, and on motion of Mr. FLOOD, indefinitely postponed.

✓ No. 637, Senate bill to incorporate the Mount Vernon Military Institute, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. MUSBACH (two-thirds concurring), was read a third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 658, Senate bill to incorporate the Virginia Electrical Power and Light Company, was taken up, read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. MAYNARD (two-thirds concurring), was read a third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 672, Senate bill for the relief of R. W. Read, a Confederate veteran of Augusta county, was taken up, read a second time, ordered to be engrossed and read a third time; and being forthwith engrossed, was, on motion of Mr. ECHOLS (two-thirds concurring), read the third time and passed with its title by the following vote—ayes, 28; noes, none.

NOES—Messrs. Barnes, Claytor, Clement, Echols, Flanagan, Flood, Green, Hale, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, LeCato, Little, Lowry, Mason, McCune, McIlwaine, Morris, Musbach, Parr, Sands, Snead, Southall, Stubbs, Turnbull, and Wickham—28.

NOES—None.

On his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 165, Senate bill to grant certain powers to the Washington, Arlington and Falls Church Railway Company, was taken up, read the second time, and on motion of Mr. MUSBACH, indefinitely postponed.

✓ No. 673, Senate bill for the relief of James A. Harvey, a maimed Confederate soldier, was taken up, read a second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. ECHOLS (two-thirds concurring), read a third time and passed with its title; on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 698, Senate bill to incorporate the Fredericksburg Telephone Company, was taken up, read a second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. LITTLE (two-thirds concurring), read the third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 587, Senate bill to amend and re-enact sections 5 and 9 of an act entitled an act for the distribution among those entitled of the direct tax money donated by the United States Government,

approved March 3, 1892, was taken up, read a second time, ordered to be engrossed and read the third time; and being forthwith engrossed, on motion of Mr. BOYKIN (two-thirds concurring), read a third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 585, Senate bill to authorize Marion Marshall, deputy treasurer of Carroll county, to collect taxes due for the years 1892 and 1893, was taken up, read a second time, ordered to be engrossed and read the third time; and being forthwith engrossed, on motion of Mr. KANE (two-thirds concurring), was read a third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 545, Senate bill to remit to the county of Madison the State taxes on the Madison and Orange Railroad for certain purposes, was taken up, read the second time, and on motion of Mr. HAY, indefinitely postponed.

✓ No. 385, Senate bill providing for relief of A. J. Swindall, Ed. Hall, and John Hall, administrators of John Branham, deceased, all of Wise county, Va., was taken up, read the second time, ordered to be engrossed and read the third time; and being forthwith engrossed, on motion of Mr. KANE (two-thirds concurring), was read the third time and passed with its title by the following vote—ayes, 25; noes, 3.

AYES—Messrs. Barnes, Boykin, Brown, Claytor, Clement, Echols, Flanagan, Flood, Hale, E. H. Jackson, G. W. Jackson, Jordan, Kane, Keezell, LeCato, Little, Lovenstein, Lowry, Maynard, McCune, McIlwaine, Mushbach, St. Clair, Stubbs, and Wickham—25.

NOES—Messrs. Green, Jones, and Tredway—3.

And on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 273, Senate bill for the relief of V. W. Gibson, a disabled Confederate soldier, was taken up, read the second time, and on motion of Mr. TREDWAY, indefinitely postponed.

✓ No. 674, Senate bill for the relief of John A. Buchanan, a Confederate veteran, of Augusta county, was taken up, read the second time, ordered to be engrossed and read a third time, and, being forthwith engrossed, on motion of Mr. ECHOLS (two thirds concurring), was read a third time, and passed with its title, by the following vote—ayes, 29; noes, none.

AYES—Messrs. Barnes, Buchanan, Claytor, Clement, Echols, Flanagan, Flood, Green, Hale, E. H. Jackson, G. W. Jackson, Jones, Jordan, Kane, Keezell, LeCato, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Mushbach, Snead, St. Clair, Stubbs, Tredway, Turnbull, and Wickham—29.

NOES—None.

✓ No. 692, Senate bill for the relief of Mrs. James T. Gallier, the

widow of a Confederate soldier, was taken up, read a second time, committee's amendments agreed to, ordered to be engrossed and read the third time, and, being forthwith engrossed, on motion of Mr. CLEMENT (two-thirds concurring), read the third time, passed with its title, by the following vote—ayes, 29; noes, none.

AYES—Messrs. Barnes, Boykin, Buchanan, Claytor, Clement, Echols, Flanagan, Green, E. H. Jackson, G. W. Jackson, Jones, Jordan, Keezell, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Sands, Snead, St. Clair, Stubbs, Tredway, Turnbull, Wickham, Williams, and Withers—29.

NOES—None.

And, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 711, Senate bill to amend and re-enact section 7 of an act entitled an act to establish an additional court for the city of Norfolk, and to define its jurisdiction, approved February 12, 1894, was taken up, read the second time, on motion of Mr. SNEAD, indefinitely postponed.

✓ No. 658, Senate bill to incorporate the Virginia Electrical Power and Light Company, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time, and, being forthwith engrossed, on motion of Mr. SNEAD (two-thirds concurring), read a third time, and passed with its title.

On his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 716, Senate bill to repeal an act entitled an act to charter and incorporate the town of Neapolis, in Pittsylvania county, Va., approved March 2, 1894, was taken up, read a second time, ordered to be engrossed and read a third time, and, being forthwith engrossed, on motion of Mr. WITHERS (two-thirds concurring), read the third time, and passed with its title.

On his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 719, Senate bill to incorporate the Northern Neck Mutual Union, in Westmoreland county, Va., was taken up, read a second time, ordered to be engrossed and read a third time, and, being forthwith engrossed, on motion of Mr. MASON (two-thirds concurring), read the third time, and passed with its title.

And, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 720, Senate bill to incorporate the Virginia Transit Company, and to authorize it to engage in mining, manufacturing, and storage, was taken up, read a second time, and, on motion of Mr. MUSHBACH, indefinitely postponed.

✓ No. 718, Senate bill to amend and re-enact sections 5 and 10 of an act entitled an act to provide for the working of the roads in King George county, approved February 29, 1892, as amended and

re-enacted by an act entitled an act to amend and re-enact sections 5, 6, and 10 of an act entitled an act to provide for the working of the public roads in King George county, approved February 26, 1894, was taken up, read a second time, ordered to be engrossed and read a third time, and, being forthwith engrossed, on motion of Mr. MASON (two-thirds concurring), read the third time, and passed with its title.

And, on his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ No. 650, Senate bill to amend and re-enact section 2109 Code of Virginia, relating to penalty for unlawful fishing, was taken up, read a second time, ordered to be engrossed and read a third time, and, being forthwith engrossed, on motion of Mr. CLAYTOR (two-thirds concurring), read the third time, and passed with its title.

And, on his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ No. 481, Senate bill to amend and re enact the 3d subdivision of section 1, section 3, section 4, section 5, section 6, of an act of the General Assembly of Virginia, approved February 22, 1894, entitled an act to regulate the practice of medicine and surgery in the State of Virginia, was taken up, read the second time, committee's amendments agreed to, ordered to be engrossed and read a third time, and, being forthwith engrossed, on motion of Mr. STUBBS (two-thirds concurring), was read the third time, and passed with its title.

On his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ No. 466, Senate bill to encourage the oyster industry of the Commonwealth, was taken up, read the second time, Mr. KEEZELL proposed a substitute to the bill, which was agreed to, and ordered to be engrossed and read a third time, and, being forthwith engrossed, on motion of Mr. KEEZELL (two-thirds concurring), read a third time and passed, and, on his further motion, title amended.

And, on his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ No. 726, Senate bill to repeal so much of an act approved April 2, 1879, as amended by an act approved February 16, 1880, in reference to school districts, as applies to certain districts, was taken up, read a second time, ordered to be engrossed and read a third time, and, being forthwith engrossed, on motion of Mr. TREDWAY (two-thirds concurring), read a third time, and passed with its title.

And, on his further motion, he was ordered to inform the House of Delegates thereof.

The hour of adjournment having arrived, the chair was vacated until eight o'clock.

NIGHT SESSION.

- ✓ No. 678, Senate bill to incorporate the Southside Furnace Company of Virginia, was taken up, read the second time, and on motion of Mr. SOUTHALL, indefinitely postponed.

Mr. WICKHAM, from the committee on finance and banks, reported without amendment,

- ✓ No. 245, Senate bill for the relief of E. B. Lee, was taken up, read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on his motion (two-thirds concurring), read a third time, and passed with its title by the following vote—ayes, 23; noes, 2.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Echols, Fairfax, Flood, Green, Hale, G. W. Jackson, Jones, Jordan, LeCato, Little, Lovenstein, Lowry, McIlwaine, Sands, Southall, St. Clair, Stubbs, Tredway, and Wickham—23.

NOES—Williams and Withers—2.

And on his further motion, he was ordered to inform the House of Delegates thereof.

- ✓ No. 729, Senate bill to renew the charter granted the Lynchburg and Southwestern Development Company, approved March 5, 1890, and amended March 4, 1892, changing its name to the Virginia Land, Investment and Development Company, and to re-enact sections 2 and 6 of said act, was taken up, read the second time, and passed by.

- ✓ No. 600, Senate bill to incorporate the Richmond Water-Power Company, was taken up, read the second time, and indefinitely postponed.

- ✓ A message was received from the House of Delegates by Mr. HATHAWAY, who informed the Senate that that House had passed the report of the investigating committee of the deaf, dumb and blind institute at Staunton, with an amendment.

- ✓ The report was taken up, on motion of Mr. HAY, the pending question was called, and the amendments proposed by the House of Delegates agreed to.

- ✓ On motion of Mr. STUBBS, he was ordered to inform the House of Delegates thereof.

Mr. WICKHAM presented the following resolution:

Resolved, That the election bill be now considered, and that debate on it be limited to thirty minutes on each side, and that the vote be then taken thereon.

Which was agreed to.

Mr. STUBBS, by leave, presented the following:

1. Resolved by the Senate (the House of Delegates concurring), That the sum of five thousand dollars be appropriated to the Sol-

diers' Home, in addition to the sum of thirty thousand dollars, out of any moneys in the treasury not otherwise appropriated.

2. This resolution shall be in force from its passage.

✓ On motion of Mr. STUBBS (the rules being suspended therefor), the resolution was rejected by the following vote—ayes, 19; noes, 11.—not receiving the constitutional vote.

AYES—Messrs. Boykin, Clement, Flood, Hale, Hay, G. W. Jackson, Little, Lovenstein, Lowry, Mason, Maynard, McIlwaine, Mushbach, Parr, Sands, Snead, Southall, Stubbs, and Williams—19.

NOES—Messrs. Buchanan, Claytor, Green, Jones, Jordan, Keezell, Morris, St. Clair, Tredway, Turnbull, and Wickham—11.

✓ A message was received from the House of Delegates by Mr. PARKER, who informed the Senate that that House had passed House bill No. 643.

✓ The bill was taken up, read the third time, and passed with its title by the following vote—ayes, 25; noes, 13.

AYES—Messrs. Barnes, Boykin, Brown, Echols, Fairfax, Flood, Green, Hay, E. H. Jackson, Jordan, LeCato, Little, Lovenstein, Lowry, Maynard, McIlwaine, Morris, Mushbach, Sands, Snead, Southall, St. Clair, Stubbs, Turnbull, and Wickham—25.

NOES—Messrs. Buchanan, Claytor, Flanagan, Hale, G. W. Jackson, Kane, Keezell, Mason, McCune, Parr, Tredway, Williams, and Withers—13.

✓ No. 773, House bill entitled an act to amend and re-enact section 2465 of the Code of Virginia, in relation to contracts, deeds, &c., that are void as to creditors and purchasers unless recorded, was taken up, read the third time, and passed with its title.

✓ No. 298½, House bill entitled an act to authorize the governor to appoint a board of commissioners for the promotion of the uniformity of legislation in the United States, was taken up, read the third time, and passed with its title—ayes, 25; noes, none.

AYES—Messrs. Barnes, Boykin, Brown, Buchanan, Claytor, Clement, Echols, Fairfax, Flanagan, Flood, Green, Hale, Jordan, LeCato, Little, Lovenstein, Lowry, Mason, McIlwaine, Sands, Southall, Stubbs, Tredway, Wickham, and Withers—25.

NOES—None.

Mr. MORRIS moved to reconsider the rule under which the Senate was acting, and take up out of its order House bill No. 816, which was rejected by the following vote—ayes, 16; noes, 18.

AYES—Messrs. Claytor, Echols, Hale, Hay, G. W. Jackson, Jones, Jordan, Keezell, Lowry, Mason, Morris, Mushbach, Snead, Southall, Williams, and Withers—16.

NOES—Messrs. Boykin, Brown, Buchanan, Clement, Fairfax, Flanagan, Greer, E. H. Jackson, LeCato, Little, Lovenstein, Maynard, McIlwaine, Sands, Stubbs, Tredway, Turnbull, and Wickham—18.

A message was received from the House of Delegates by Mr. LEWIS, who informed the Senate that that House had agreed to the

amendments proposed by the Senate to the joint resolution appointing an electoral board for the county of Alexandria.

✓ No. 701, Senate bill to amend and re-enact section 2050 of the Code of Virginia, in relation to liability of owners of animals for trespass, and excluding the counties of Sussex and Prince George from the operation thereof, was taken up, read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, was, on motion of Mr. JACKSON (two-thirds concurring), read the third time, and passed with its title; and, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 709, Senate bill to place on the pension list the name of J. M. Craighead, a Confederate soldier of Bedford county, was taken up, read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on motion of Mr. LOWRY (two-thirds concurring), read the third time, and passed with its title; and, on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 710, House bill to place on the pension list J. W. Lawhorn, a wounded Confederate soldier, of Bedford county, was taken up, read a second time, ordered to be engrossed and read a third time, and being forthwith engrossed on motion of Mr. LOWRY (two-thirds concurring), read a third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

Mr. STUBBS presented the following joint resolution :

✓ To appoint a committee to examine and report on the oyster laws and fish laws in the tidal waters of Virginia, was taken up and agreed to; ordered to be engrossed and read a third time, and being forthwith engrossed on motion of Mr. STUBBS (two-thirds concurring), read a third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

Mr. SANDS, from the committee on general laws, reported without amendment.

✓ No. 745, Senate bill to incorporate the Travellers' Electric Railway.

✓ The bill was subsequently taken up, on motion of Mr. FLOOD, read the second time, ordered to be engrossed and read a third time; and being forthwith engrossed, on his further motion (two-thirds concurring), read the third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ No. 633, Senate bill to incorporate the Virginia Water Power Company, was taken up, read the second time, ordered to be engrossed and read a third time, and being forthwith engrossed; on motion of Mr. FLOOD (two-thirds concurring), read the third time and passed with its title; and on his further motion, he was ordered to inform the House of Delegates thereof.

✓ A message was received from the House of Delegates by Mr. LEWIS, who informed the Senate that that House had passed House bill No. 842, entitled an act to amend section 31 of an act approved February 29, 1896, for opening and working of roads, and keeping the same in repair, and to provide for erecting and maintaining bridges in the county of Culpeper.

✓ On motion of Mr. HAY, the bill was taken up, read the third time, and passed with its title; on his further motion, he was ordered to inform the House of Delegates thereof.

✓ A message was received from the House of Delegates by Mr. HARWOOD, who informed the Senate that that House had passed House bill No. 833, entitled an act to appropriate five thousand dollars in addition to the appropriation already made to Lee Camp Soldiers' Home.

✓ On motion of Mr. HAY (the rules being suspended therefor), the bill was read the third time and passed with its title by the following vote, ayes, 30; noes, 2.

AYES.—Messrs. Barnes, Boykin, Brown, Clement, Echols, Fairfax, Flood, Green, Hale, Hay, E. H. Jackson, G. W. Jackson, Jordan, Kane, Little, Lovenstein, Lowry, Mason, Maynard, McCune, McIlwaine, Morris, Mushbach, Parr, Sands, Snead, Southall, Stubbs, Wickham and Williams—30.

NOES.—Messrs. Keezell and Turnbull—2.

✓ The PRESIDENT appointed on joint committee on the part of the Senate on the enquiry as to establishing a hospital for epileptics, Dr. LECATO, of Accomac county, and Dr. W. E. Drewry, of Petersburg.

Mr. LOWRY moved to suspend the rules and take up House bill No. 621.

Mr. JONES, by leave, presented the following:

Resolved, That the thanks are due and are cordially tendered to the Hon. ROBERT C. KENT, Lieutenant-Governor of the Commonwealth, for the able and impartial manner in which he has discharged his duties as presiding officer of this body.

Which was agreed to.

✓ The PRESIDENT appointed on joint committee of conference on the part of the Senate of Virginia to meet a similar committee on the part of the State of Maryland, Messrs. MASON, LECATO and HAY, in reference to the fishing rights in Potomac river, Pocomoke sound and Pocomoke river.

Mr. FLANAGAN, by leave, presented the following:

Resolved, That the thanks are due and are tendered to the Hon. WM. LOVENSTEIN, President *pro tem.* of the Senate, for the impartial, courteous and able manner in which he has discharged his duties, while presiding over this body.

Which was agreed to.

On motion of Mr. MCILWAINE, the Senate adjourned till to-morrow at 12 o'clock.

TUESDAY, MARCH 3, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Journal of yesterday read by the clerk.

A communication received from the House of Delegates by their clerk, was read as follows:

In House of Delegates, March 2, 1896.

- ✓ The House of Delegates have passed Senate bill entitled an act to prevent deception in the manufacture and sale of imitation butter, No. 567, with an amendment.
- ✓ They have passed Senate bills and joint resolution entitled an act to amend and re-enact independent section 11 of an act entitled an act to amend and re-enact sections 2131, 2133, 2134, 2135, 2137, 2148, 2151, 2153, and to repeal sections 2141, 2142, 2143, 2144, 2145, and 2147 of chapter 97 of the Code of Virginia, in relation to oysters, and to add independent sections thereto, approved February 25, 1892, No. 717; an act to provide for the re-organization of the Institution for the Deaf, Dumb and Blind, and to repeal chapter 74 of the Code of Virginia, and to repeal chapter 226 of the Acts of
- ✓ Assembly entitled an act to regulate the appointment of the Board of Directors of the Deaf, Dumb and Blind Institute at Staunton, Va., approved May 14, 1887, No. 736; an act to incorporate the Mount Vernon Military Institute, No. 637; an act to appropriate money for the purpose of needed improvements around the Lee Monument, in the city of Richmond, on the property of the State of Virginia, No. 736; an act to take the sense of the people upon the call of a convention to revise and amend the Constitution, No. 135; an act to amend an act to incorporate Shoemaker College, in Scott county, approved March 1, 1894, No. 380; an act to amend sections 1586 and 1592 of the Code of Virginia, in relation to Virginia Agricultural and Mechanical College, No. 613; an act to incorporate the Northern Neck Mutual Union, in Westmoreland county, Va., No. 719; a Senate joint resolution to appoint a committee to investigate and report upon a certain survey made under an act approved February 26, 1894, with reference to the riparian rights on Fox Island, on Accomac county; an act to amend and re-enact sections 5 and 10 of an act entitled an act to provide for the working of the roads in King George county, approved February 29, 1892, as amended and re-enacted by an act entitled an act to amend and re-enact sections 5, 6 and 10 of an act entitled an act to provide for the working of the public roads in King George county, approved February 26, 1894, No. 718; an act to repeal an act entitled an act to charter and incorporate the town of Neapolis, in Pittsylvania county, Virginia, approved March 2, 1894, No. 716; an act to incorporate the Fredericksburg Telephone Company, No. 698; an act for the relief of James A. Harvey, a maimed Confederate veteran, No. 673; an act for the

✓ relief of R. W. Read, a Confederate veteran, of Augusta county, No. 672; an act to repeal so much of an act approved April 2, 1879, as amended by an act approved February 16, 1880, in reference to school districts, as applies to certain districts, No. 726; an act to extend the time for the completion of the Virginia Western Coal and Iron Railroad Company, No. 536; an act to amend and re-enact section 2109 Code of Virginia, relating to penalty for unlawful fishing, No. 650; an act for the relief of E. B. Lee, No. 245; an act for the relief of John A. Buchanan, a Confederate veteran, of Augusta county, No. 674; an act to authorize the city of Danville, Va., to extend its water-main or pipes to the Danville Military Institute, in Pittsylvania county, Va., and to supply the same with city water, No. 630; an act to amend and re-enact an act to confer upon the council of the town of Danville authority to build, purchase, repair and keep up a free bridge or free bridges across the Dan river, and to confer upon the said corporation the power to increase its bonded indebtedness for public improvement, approved February 24, 1886, as amended and re-enacted by chapter 51 of acts of extra session, 1887, approved April 6, 1887, No. 631; an act to place on the pension list the name of J. M. Craighead, a wounded Confederate soldier, of Bedford county, No. 709; an act to amend and re-enact section 18, chapter 3, of an act entitled an act to change the name of the town of Goodson to the city of Bristol, and provide a new charter for the same, approved February 12, 1890, No. 681; an act to put on the pension list the name of J. W. Lawhorn, a wounded Confederate soldier, of Bedford county, No. 710; an act to eradicate the San Jose or pernicious scale, a disease affecting fruit trees, No. 530; an act to authorize the auditor of public accounts and Governor to fix the compensation to be paid to the special agent of the State for instituting suits and superintending the collection of amounts due the State from two of the former treasurers of Bedford county, No. 580; an act for the relief of Mrs. James T. Gallier, the widow of a Confederate soldier, No. 692; and an act to incorporate the Holston Oil and Manufacturing Company, No. 642.

✓ They have agreed to the amendment of the Senate to House joint resolution in reference to the electoral board of Alexandria county.

✓ They have agreed to Senate resolution in reference to the movement of the office of the commissioner of agriculture into the capitol.

✓ They have agreed to Senate joint resolution in reference to filling a vacancy on the electoral board of Campbell.

✓ They have agreed to report of the committee of conference on the disagreeing votes of the two houses on Senate bill entitled an act to provide for a method for the better assessment of personal property under the control of fiduciaries and the several courts of the Commonwealth, No. 509.

✓ They have passed, notwithstanding the objection of the Governor,

Senate bill entitled an act to incorporate the Pacific Company, No. 154.

✓ They have refused to pass, notwithstanding the objections of the Governor, Senate bills entitled an act to amend and re-enact the third section of an act to incorporate the Berkley Street Railway Company, and to authorize it to dispose of so much of its electric power as it may not need for the propulsion of its cars, No. 493; ✓ and an act to amend section 2 of a charter granted to the John G. Hurkamp Company on the 7th day of August, 1895, by the judge of the Circuit Court of Fredericksburg, in vacation, and to confirm and approve and ratify such charter as amended, and all its provisions, No. 455.

✓ They have agreed to the amendments of the Senate to House bills entitled an act to prohibit the several cities and towns of the Commonwealth from imposing and collecting any tax, fine, or other penalty upon persons selling their own farm and domestic product within the limits of any such town or city outside of and from under the regular market-houses and sheds of such towns and cities, 398; an act to amend and re-enact section 3160 of the Code of Virginia, in relation to pay and mileage of jurors, No. 233; an act to ✓ incorporate the Tobacco Warehousing and Trading Company, No. 572; an act to prohibit winter racing in the State of Virginia, No. 498; an act to amend and re-enact the law for the protection of game in Shenandoah county, No. 585; an act to incorporate the Potomac Western Railroad Company, No. 551; an act to protect game in the county of Bedford, No. 111; an act to compensate ✓ school trustees other than clerks of district school board in Dickenson, Buchanan, and Wise counties, No. 625; an act in relation to officers and teachers of public free schools having any pecuniary benefit and furnishing books, etc., to public free schools in this State, No. 420; an act to amend section 8 of an act entitled an act for working and keeping in repair the public roads in Norfolk county, approved February 1, 1894, No. 814; an act to incorporate ✓ the Chesapeake and Fox Hill Railroad Company, No. 709; an act to amend the charter of the city of Newport News, Va., No. 576; an act to amend chapter 192, acts 1893-'94, entitled an act for the protection of certain game in Roanoke county, No. 268; an act to regulate and license pawnbrokers, and to regulate junk dealers and dealers in second-hand personal property in the cities of Virginia and county of Henrico, No. 339; an act to amend and re-enact section 1 of an act entitled an act to prevent trapping and seining in New river and its tributaries, No. 688; an act prescribing certain additional duties to be performed by the superintendent of the poor in Southampton, Clarke, and Fauquier counties, No. 555; ✓ an act to amend and re-enact section 28 of chapter 244 of an act approved March 6, 1890, imposing a tax on peddlers of coal and wood in the city of Richmond, No. 705; an act to incorporate the Tidewater Telephone Company, No. 316; an act to incorporate

✓ the Nassawadox Lumber and Barrel Manufacturing and Building Company, in the county of Northampton, No. 487; an act to provide that the Clintwood sub-district in Dickenson county be, and the same is hereby made, a school district to be known as the Clintwood school district, and to provide for building a school-house and raising funds for same, No. 614; an act to amend and re-enact sections 3, 8, and 10 of an act entitled an act to amend sections 2, 4, 6, and 10 of an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers, and the guarantee and condition upon which they are sold, and fixing the penalties incurred for violations of the same, approved February 24, 1890, amended by an act approved March 8, 1894, No. 124; an act to amend and re-enact an act entitled an act to amend and re-enact section 4106 of the Code of Virginia, touching the jurisdiction of police justices and justices of the peace as to the trial of offenders in certain cases, approved February 23, 1894, No. 110; an act to amend and re-enact section 2476 of the Code of Virginia, as amended by an act entitled an act to amend sections 2475 and 2476 of the Code of Virginia, in reference to levies for work done and material furnished by artisans, mechanics, lumber dealers and others, approved January 16, 1896, No. 543; an act to amend and re-enact section 3969 of the Code of Virginia, with reference to when a justice to discharge an accused person who is before him for examination, and what to do when there is sufficient cause to charge him, No. 480; an act to amend and re-enact the charter of the city of Alexandria, approved February 20, 1871, as amended by an act approved March 22, 1871, and by an act approved March 17, 1876, and by an act approved March 20, 1877, and by an act approved January 25, 1879, and by an act approved March 1, 1888, and by an act approved February 25, 1892, and by an act approved March 8, 1894, No. 783; an act to empower the board of supervisors of Southampton, Clarke and Fauquier counties to make rules concerning the working of criminals sentenced to work on the public roads or farms, or other public works of said counties, and to provide suitable buildings for the care and custody of said criminals, No. 556; an act making it lawful for the county courts and justices in Southampton, Clarke, and Fauquier counties to sentence certain criminals to work upon the roads, farms, or other public works in said counties, or on the streets of any town in said counties, and prescribing penalty for persons thus sentenced who escape or attempt to escape, No. 553.

In which amendments they respectfully request the concurrence of the Senate.

On motion of Mr. HAY, the Senate adjourned until to-morrow, twelve o'clock.

WEDNESDAY, MARCH 4, 1896.

Lieutenant-Governor R. C. KENT in the chair.

Journal of yesterday read by the clerk.

A communication was received from the House of Delegates by their clerk, and was read as follows:

In the House of Delegates, March 3, 1896.

The House of Delegates has passed Senate bill entitled an act directing the librarian to turn over certain relics to the Confederate Memorial Literary Society, No. 644.

Lieutenant-Governor R. C. KENT having to leave, Mr. LOVENSTEIN, President *pro tem.* occupied the chair.

Mr. STUBBS presented the following report of the sub-committee to examine the Eastern State Hospital, which was ordered to be printed in the journal:

To the Senate of Virginia:

The Senate sub-committee directed to examine into the condition and working and management of the Eastern State Hospital at Williamsburg, respectfully report: That after a thorough examination into the condition, working and management of said Hospital, we find the condition very good, with some improvements very much needed; the working and management, everything that could be asked, with an efficient, able superintendent and assistant; polite and attentive employees. The board of visitors have managed the institution with marked skill and financial ability.

Respectfully submitted,

J. N. STUBBS,
Chairman.

March 3, 1896.

Mr. STUBBS presented the following report on petitions filed by citizens of Gloucester and others as the Agricultural and Industrial school, at Cappahosic, in Gloucester county:

To the General Assembly of Virginia:

The petition of the Board of Trustees of "the Gloucester Agricultural and Industrial School," located at Cappahosic, in Gloucester county, and the petitions of the citizens of Gloucester county, asking a favorable consideration of the claims of said school, have been placed before the committee on public institutions and education in the Senate, and committee on schools and colleges of the House of Delegates. The above named petitions have been considered, and the principal of the school and president of the board of trustees have been heard, and the above named committee submit a joint report.

We have heard with pleasure of the growth of the above named school in so short a time; the wonderful improvements and advantages it now offers to the colored children of Virginia—not only the educational, but the agricultural and industrial advantages. This school asks for State aid. Under our constitution and laws (made in pursuance of the constitution), the State cannot make an appropriation to a private school. This is a private corporation, chartered by the circuit court of Gloucester. We can but say, we are impressed with the belief

that the school is doing a good work and pecuniary aid from any source would be properly managed, and would be aiding in a laudable enterprise for the improvement and training, and educating the colored children of our State.

Respectfully submitted,

J. N. STUBBS,

Chairman Senate Committee Public Institutions and Education.

J. E. BOOKER,

House Committee Schools and Colleges.

March 2, 1896.

The chair laid before the Senate a message from the Governor, vetoing Senate bill, No. 648, to authorize the county court of Halifax county to enter an order exonerating all persons living within the corporate limits of the town of South Boston in said county, from the payment of all county levies improperly assessed against them for the years 1888, 1889, 1890, 1891, 1892, 1893, 1894 and 1895, if said levies have not been paid, and if paid directing the amounts so paid to be refunded to said persons.

GOVERNOR'S OFFICE,

RICHMOND, VA., March 4th, 1896.

To the General Assembly of Virginia :

Senate bill No. 648 has received my careful consideration, and I am constrained to return it without my approval.

The object of this bill is to authorize the county court of Halifax county to enter an order exonerating all persons living within the corporate limits of the town of South Boston, in said county, from the payment of all county levies improperly assessed against them for the years 1888, 1889, 1890, 1891, 1892, 1893, 1894, and 1895, if said levies have not been paid, and if paid, directing the amounts so paid to be refunded to said persons.

Section 571 of the Code of 1890 is in these words :

"Redress Against Erroneous Assessments of Levies and Local Taxes.—Any person assessed with county or city levies and other local taxes, aggrieved by an entry in either book (meaning land or personal property), may, *within two years* after the delivery of such book to the treasurer, apply to the county or corporation court for relief; and thereupon the court shall order that he be exonerated from the payment of so much as is improperly assessed, if not already paid, and if paid, that it be refunded to him by the treasurer, who shall have credit for the same in his settlement."

It is no doubt because of this provision of the existing law of the State that Senate bill No. 648 was introduced and passed. The persons alleging that they had been aggrieved by erroneous assessments, found that they were barred by the section of the Code quoted from applying to the court for relief, except for the years of 1894 and 1895, hence they sought the aid of the Legislature.

Is it within the power of the General Assembly to annul said section of the Code in so far as to authorize said persons to make application to the court, and to empower the court to enter an order relieving them of the levies made if not paid, and directing the refunding of the amounts if paid, except for the years 1894 and 1895? With due deference to the wisdom of the General Assembly, I must express the opinion that section 571 of the Code is, in effect, a statute of limitations which cannot be repealed or set aside, so as to give the right to proceed for relief from erroneous assessments made except for the years 1894 and 1895.

"Statutes of limitation are passed which fix a reasonable time within which a party is permitted to bring suit for the recovery of his rights, and which, on failure to do so, establish a legal presumption against him that he has no right in the premises. Such a statute is a statute of repose." Cooley's Constitutional Limitations, page 449.

A repeal of the limitations law cannot be given a retroactive effect. The Legislature cannot revive a demand that is barred. *Ibid.*

Justice Story, in *Bell vs. Morrison*, 1 Peters, 351, speaks favorably of a statute of limitations as a statute of repose in which there is nothing unconscionable.

"There is a vested right in the statute of limitations, when the bar has attached, by which an action for a debt is barred." Sutherland on Statutory Construction, section 480.

"It is very clear when the bar of the statute has once attached, the Legislature cannot remove the bar by retrospective legislation." Johnston, &c., vs. Gill, &c., 27 Grattan, 595.

No doubt to emphasize this principle and to establish it by legislative action, section 2936 of the Code was enacted, which is as follows:

"If, after a right of action or remedy is barred by a statute of limitations, the statute be repealed, the bar of the statute as to such right or remedy shall not be deemed to be removed by such repeal."

"Causes of action barred by the statute of limitations are not revived by a repeal of the statute." Sutherland on Statutory Construction, section 164, and cases cited.

There is one case, and only one, which I have been able to find in which it has been held by a divided court (the supreme court of the United States) that "the repeal of a statute of limitations of actions on personal debts does not, as applied to a debtor, the right of action against whom is barred, deprive him of his property in violation of the Fourteenth Amendment of the Constitution of the United States." *Campbell vs. Holt*, 115 U. S. Reports, 620.

The current of State decisions is certainly in favor of the principle laid down that "if the time limited by statute for commencing a suit expires whilst the statute is in force, and before the suit is brought, the right to bring the suit is barred, and no subsequent statute can renew the right." See 115 U. S. Reports, page 632.

Do the authorities draw any distinction between the running of the statute in the case of an individual and in the case of a county?

Wood on Limitations, section 53, pages 117 and 118, says: "The statute runs for or against towns and cities, and also for or against counties in the same manner as it does for and against individuals. In some of the States the statute is in terms extended to towns, cities and counties, but independent of such provision the rule is as stated supra."

Counties are authorized to lay levies upon property, real and personal, within their limits. If their officers assess the property of any of their citizens erroneously, these citizens may, within two years after the delivery of the books of the assessors to the respective county treasurers, apply to the respective county courts for relief. This is a limitation upon the right of the citizens to institute proceedings for redress. If counties stand on the same footing as individuals (and it would seem they do), a repeal of the statute cannot remove the bar, nor can authority be granted by the Legislature to the citizens to apply for relief.

In view of the authorities and upon my construction of the law, I must withhold my approval of Senate bill No. 648.

But there is another question, in my opinion, of much importance in connection with the consideration of said bill.

The Legislature has wisely enacted section 571 of the Code as a statute of repose. To set it aside in this instance would necessarily result in setting it aside in every instance of erroneous assessment, or throw the Legislature open to the charge of unjust discrimination. The approval of said bill would establish a most dangerous precedent, and would probably flood the General Assembly with similar bills, which, if enacted, might seriously unsettle the assessments and financial affairs, more or less, of all the counties in the State for years past.

If the citizens of the town of South Boston have slept on their rights until they are barred, it has been their own fault. If they have lost their remedy by their own laches, they can blame none but themselves. The statute was plain and easily understood.

Sound public policy, in my opinion, requires a strict adherence to the law as laid down in said section 571 of the Code.

CHAS. T. O'FERRALL, Governor.

No. 567, Senate bill to prevent deception in the manufacture and sale of imitation butter, with amendments by the House of Delegates, was taken up, and the chair ruled that it could not be considered under the rules by which they were acting.

On motion of Mr. MORRIS, the Senate adjourned until to-morrow, twelve o'clock.

THURSDAY, MARCH 5, 1896.

Mr. LOVENSTEIN, President *pro tem.*, in the chair.

Journal of yesterday read by the clerk.

✓ A message was received from the governor, by his private secretary, who informed the Senate that the governor had made certain appointments.

On motion of Mr. ECHOLS, the Senate resolved itself into executive session, and having dispatched the business before them, the doors were opened, and the following resolution, adopted in executive session (the injunction of secrecy being removed), was ordered to be spread upon the journal of the Senate, and a copy thereof forwarded to the governor:

✓ Resolved. That the Senate advise and confirm the following appointments made by the governor since the last session of the Senate, which are as follows:

GOVERNOR'S OFFICE,
RICHMOND, VA., March 5th, 1896.

To the Senate of Virginia:

C Pursuant to an act entitled "An act to provide for the re-organization of the institution for the deaf and dumb and the blind, &c., approved March 4th, 1896, I hereby appoint, by and with the advice of the Senate, the following named gentlemen as visitors of said institution:

James N. Stubbs, of Gloucester.

James K. Edmundson, of Rockbridge—to serve for three years.

George J. Hundley, of Amelia.

R. S. Turk, of Staunton—to serve for two years.

George A. Mushbach, of Alexandria.

Addison Maupin, of Henrico—to serve for one year.

Terms of all to commence, as provided by said act, March 15th, 1896.

CHAS. T. O'FERRALL, Governor.

RICHMOND, VA., March 5th, 1896.

To the Senate of Virginia:

✓ I herewith submit for your consideration the following appointments made by me since the adjournment of the General Assembly—session 1893-'94:

Members of the Board of Directors of Southwestern State Hospital.—D. W. Bolen, of Carroll county; P. W. Simmons, of Henry county; H. C. T. Richmond, of Lee

✓ county. Their term commencing April 15th, 1895. R. N. Pendleton, of Wythe, to fill vacancy occasioned by the resignation of R. C. Jackson.

Members of Board of Directors of the Western State Hospital.—J. T. Beckham, of Alexandria; G. W. Larrick, of Frederick county; H. J. Williams, of Augusta county. Term commencing April 15th, 1895. P. H. Trout, of Staunton, to fill the vacancy occasioned by the death of W. H. H. Lynn.

Members of Board of Directors of the Eastern State Hospital.—R. W. Tuggle, of Nottoway county; L. S. Foster, of Mathews county; H. D. Cole, of Williamsburg. Term commencing April 15th, 1895.

✓ *Members of Board of Directors of the Central State Hospital.*—Julius Straus, of Richmond; A. M. Bowman, of Roanoke; W. D. Turner, of Isle of Wight county. Term commencing April 15th, 1895. George D. Pearman, of Richmond, to fill vacancy occasioned by the death of Joshua Pretlow.

Members of the Board of Visitors of the Institution for the Deaf and Dumb and the Blind.—Geo. A. Mushbach, of Alexandria; Robt. W. Watkins, of Halifax county; W. D. Quesenbury, of Caroline. Term commencing April 15th, 1895. James H. Lindsay, of Charlottesville, to fill the vacancy occasioned by the death of George E. Dennis.

Member of the Board of Visitors of the University of Virginia.—R. T. Irvine, of Wise, to fill vacancy occasioned by the resignation of Basil B. Gordon.

✓ *Members of Board of Visitors of the Virginia Military Institute.*—James M. Love, of Fairfax county; William F. Rhea, of Bristol; Alexander Hamilton, of Petersburg. Term commencing January 1st, 1895. G. Percy Hawes to fill the vacancy occasioned by the resignation of Tazewell Ellett.

CHAS. T. O'FERRALL, *Governor.*

The Senator from Hanover desires to have the following protest entered upon the journal:

✓ He protests against the confirmation of the board nominated under the act approved March 4th, 1896, by the governor for the deaf, dumb and blind institution because the recommendation and request in writing signed by eighty five members of the House of Delegates for the re-appointment of Dr. B. L. Winston, of Hanover county, Va., has been disregarded.

Which was agreed to in executive session and ordered to be spread on the journal.

✓ A message was received from the House of Delegates by Mr. PARKS, who informed the Senate that that House had agreed to the following joint resolution:

Resolved (the Senate concurring), That a committee of five on the part of the House, and three on the part of the Senate, be appointed to inform the governor that the General Assembly is ready to adjourn *sine die*, and enquire if he has any communication to make.

✓ Which was agreed to, and the PRESIDENT appointed the following as the committee on the part of the Senate: Messrs. MORRIS, WICKHAM and WILLIAMS; who, through their chairman, Mr. MORRIS, reported that they had performed the duty assigned them, and that the governor requested them to state to the General Assembly that he had no further communication to make.

A message was received from the House of Delegates by Mr.

✓ Cook, who informed the Senate that the House of Delegates was ready on its part to adjourn *sine die*.

On motion of Mr. SANDS, he was ordered to inform the House of Delegates that the Senate was also ready on its part to adjourn.

Ⓢ The hour of 3 P. M. having arrived, the PRESIDENT announced that the Senate stood adjourned until the first Wednesday in December, 1897.

SENATE DOC. No. I.

ABSTRACT
OF THE
RETURNS OF CLERKS OF COURTS
TO THE
CLERK OF THE HOUSE OF DELEGATES.

OFFICE OF CLERK OF HOUSE OF DELEGATES OF VIRGINIA,

DECEMBER 4, 1895.

To the General Assembly:

I respectfully submit abstract of reports of the clerks of courts, which are required to be made to the Clerk of the House of Delegates, by section 3189 of the Code.

J. BELL BIGGER,

Clerk of House of Delegates.

ABSTRACT

From the reports of Clerks of the Supreme Court of Appeals, Corporation and Circuit Courts, for the year ending 31st August, 1894, exhibiting the state of Suits in their respective Courts.

SUPREME COURT OF APPEALS.

JUDGES.	CLERKS.	LOCATION OF COURTS.	APPEALS, WRITS OF ERROR AND SUPERSEDEAS.					Days of session.
			No. Commenced.	No. Pending.	No. interlocutory decrees and or- ders.	No. final decrees and judgments.	No. removed from other courts.	No. removed to other courts.
Richard H. Cardwell.....	George K. Taylor.....	Richmond	88	170	.....	80	26	4
John A. Buchanan.....	Jos. A. Waddell	Staunton.						
George M. Harrison.....	W. G. G. Lowry	Wytheville.						
John W. Riely.								
James Keith.								

CORPORATION COURTS.

JUDGES.	CLERKS.	CITIES.	ACTIONS AT LAW.				SUITS IN EQUITY.				PROSECUTIONS.				DAYS OF SESSION.				Notes.		
			No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. final decrees.	No. commenced.	No. pending.	No. decided.	No. nolle prosequis.	Changes of venue from the court.	Changes of venue to the court.	Fall term.	Spring term.		Intermediate or special terms.	Total.
J. K. M. Norton	John S. Beach	Alexandria	52	27	40	3	1	28	99	60	19	1	30	8	19	9	21	29	127	177	
J. W. F. Rhea		Bristol						8	6		8		17	6	8	2				50	
J. O. Shepherd		Buena Vista	36	6	41			12	30	71	4		10	2	7	1	14	24	31	69	
R. T. W. Duke, Jr.	R. W. Duke	Charlottesville	61	14	47			50	146	133	28	3	2	180	18	161	10			118	
A. M. Alken	Wm. Rison	Danville	166	40	176																
A. W. Wallace		Fredericksburg																			
Frank P. Christian		Lynchburg																			
John H. Ingram	H. E. DuVal	Manchester	24	10	14			12	109	114	9		70		51	19				124	
J. Tucker Brooke		Norfolk																			
A. M. Alken		Neapolis																			
J. M. Mullen	Ro. Gilliam	Petersburg	42	22	75			18	142	127	35		125	3	110	18				207	
A. S. Watts		Portsmouth																			
S. B. Watts	W. P. Lawton	Richmond	144	107	182	114							248	160	574	247				232	No. 1.
John W. Woods		Roanoke																			
Charles Grafton		Staunton																			
Wm. M. Atkinson		Winchester																			

CIRCUIT COURTS.

CIRCUITS.	JUDGES.	CLERKS.	COUNTIES AND CITIES.	ACTIONS AT LAW.				SUITS IN EQUITY.						PROSECUTIONS.				DAYS OF SESSION.			NOTES.	
				No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. final decrees.	No. removed from other courts.	No. commenced.	No. pending.	No. decided.	No. nolle prosequi.	Changes of venue from the court.	Changes of venue to the court.	Fall term.	Spring term.		Intermediate or special terms.
1	R. R. Prentiss.....		Princess Anne..... Norfolk county..... Nansemond..... Southampton..... Isle of Wight..... City of Norfolk..... City of Portsmouth..... Total in circuit.....	77	53	68		27	202	46	76		1			1			7	4		11
2	B. A. Hancock.....	L. P. Hargrave..... A. S. Edwards..... E. L. Turner..... A. H. Estes, D. C..... Herman Jackson..... E. H. Flournoy..... Ro. Gilliam.....	Sussex..... Surry..... Greensville..... Brunswick..... Prince George..... Dinwiddie..... Nottoway..... Chesterfield..... City of Petersburg..... Total in circuit.....	25	2	23	1	15	102	54	13	2							3	8	1	7
				27	4	25	1	10	107	43	17							3	2		5	
				36	10	12	2	18	186	62	17							4	3	3	10	
				9		9		10	62	19	4	2						1	1		2	
				41	8	27	2	30	225	53	7							3	5		8	
				28	14	20	1	23	317	122	12	2	1					10	10	6	26	
				126	8	124	1	2	43	16	10	1	1					6	5	6	17	

CIRCUIT COURTS—CONTINUED.

CIRCUITS.	JUDGES.	CLERKS.	COUNTIES AND CITIES.	ACTIONS AT LAW.				SUITS IN EQUITY.				PROSECUTIONS.				DAYS OF SESSION.				NOTES.				
				No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. final decrees.	No. commenced.	No. pending.	No. decided.	No. nolle prosequis.	Changes of venue from the court.	Changes of venue to the court.	Fall term.	Spring term.		Intermediate or special terms.	Total.		
3	Sam'l F. Coleman.	W. C. Curtis. Jno. L. Yates. J. C. Carrington. E. H. Coleman. W. P. Gilliam. Buckingham Cumberland	Mecklenburg. Lunenburg. Charlotte. Amelia. Powhatan. Prince Edward. Buckingham Cumberland	63 13 34 15 35	11 13 27 19 40	52 14 13 10 41	1 1 1 1 1	52 18 23 18 19	228 140 185 207 166	150 98 83 98 49	54 33 77 14 15	1 2 1 1 8	No. removed from other courts.	No. removed from other courts.	No. commenced.	No. pending.	No. decided.	No. nolle prosequis.	Changes of venue from the court.	Changes of venue to the court.	Fall term.	Spring term.	Intermediate or special terms.	Total.
4	S. G. Whittle.	S. S. Hurt. C. R. Martin. Wm Riscon.	Hallfax Pittsylvania. Henry. Patrick. Franklin. City of Danville.	273 11 1 1	276 19 25 14	94 13 14	116 28 2 31	468 69 6 6	127 69 6 31	38 15 5 44	6 1 1 1	6 4 8 5	1 1 1 1	1 1 1 1	1 1 1 1	1 1 1 1	1 1 1 1	1 1 1 1	1 1 1 1	1 1 1 1	1 1 1 1	1 1 1 1	1 1 1 1	
5	Taylor Berry.	Geo. T. Peers	Campbell Appomattox.	28 5	32 41	7 24	42 24	44 24	2 3	5 8	2 3	8 5	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8	5 8

	Geo. S. Stevens	Amherst. Nelson City of Lynchburg	52	19	56	41	289	285	19				18	8	3	21
6	Dan'l A. Grimsley.	Total in circuit.														
	R. W. Duke.	Albemarle.	66	85	61	85	880	284	27				10	12	5	27
	Wm. Sclater.	Fluvanna.	9	22	5	12	217	42	7				3	2		6
	W. E. Coons.	Culpeper.	40	48	42	1	20	188	309				6	11	9	28
	William Miller	Woodward.	23	4	19	18	284	64	8				2	2	1	5
	Madison.	Greene.	7	17	8	16	94	85	14				38	47		85
	Z. K. Page.	Orange.	50	20	37	8	179	53	7				6	3		9
	F. H. Fry	Total in circuit.														
7	B. R. Wellford, Jr.	Henrico.	43	45	49	1	65	408	333	117	2	1	3			
	E. M. Rowelle.	City of Richmond.	443	278	405	28	3	53	16	2	1	22	4	15	3	
		Total in circuit.	486	323	454	29	68	546	349	119	3	23	7	15	3	
8	B. T. Gunter.	Accomac	56	8	80	39	129	84	34				11	11		22
	John D. Grant.	Northampton.														
		Elizabeth City.														
	T. T. Hudgins.	York	6	2	4	16	8	6	2	1			2	2		4
		Warwick														
		James City and city														
		of Williamsburg														
		New Kent.	1	2	2	5	77	24	5				2	2		4
	J. N. Harris.	Charles City.														
		Total in circuit.														
9	T. R. B. Wright.	Lancaster														
		Northumberland	12	10	11	26	233	29	9				7	5	2	14
	Wm. S. Cralle.	Gloucester.														
		King William														
	H. Southworth	Essex	9	1	18	26	87	76	54				5	5	6	16
	B. T. Taylor.	King and Queen	12	2	16	9	72	43	15	1			1	2	8	11
		Mathews.														
		Middlesex.														
		Total in circuit.														
10	Wm. S. Barton.	Westmoreland	16	12	16	6	119	16	4							
	J. Warren Hutt.	Spotsylvania.	3	8	2	1	5	23	4	5	4		2	2		4
	J. P. H. Crismond.	Caroline.	16	8	2	1	5	23	4	5	4		1	1		2
	Thos W. Valentine	Hanover.	24	2	24	14	161	38	5				1	1		2
	J. A. Brown.	Stafford	22	8	27	32	340	90	25				1	1		6
	C. A. Bryan.	King George.	2	1	2	9	17	7	8	1			1	1		2
	L. D. Warner.	Richmond.	2	4	3	10	63	18	13				1	3	1	4

CIRCUIT COURTS—CONTINUED.

CIRCUITS.	JUDGES.	CLERKS.	COUNTIES AND CITIES.	ACTIONS AT LAW.				SUITS IN EQUITY.				PROSECUTIONS.				DAYS OF SESSION.				NOTES.	
				No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. final decrees.	No. removed to other courts.	No. commenced.	No. pending.	No. decided.	No. nolle prosequis.	Changes of venue from the court.	Changes of venue to the court.	Fall term.		Spring term.	Intermediate or special terms.	Total.
10	Wm. S. Barton	Sam'l H. Parsons	City of Frederick's g. Louisa	25	16	64		29	417	126	32						2	2	2	6	
11	C. E. Nicol		Total in circuit.																		
			Loudoun																		
			Fauquier																		
			Fairfax	71	57	81	1	59	384	232	71	1						11	11	11	33
			Prince William																		
12	Thos. W. Harrison.		Rappahannock																		
			Alexandria county																		
			City of Alexandria	3	10	7		6	41	12	7							2	3		5
			Total in circuit.																		
			Frederick																		
			Clarke	73	44	70		20	184	100	19	2									
			Warren															8	14	5	27
			Shenandoah.	140	154	144		72	989	256	56							7	8	6	21
			Page																		
			Total in circuit.																		

13	Wm. McLaughlin	Jos. B. Woodward. John C. Boude. D. H. Lee Martz. A. G. Cleek. J. C. Matheny. J. J. Hobbs.	224 123 255 28 34 89	74 92 46 27 2 17	276 160 244 27 30 92	1 1 1 1 1 5	154 386 683 112 9 45	643 829 456 50 52 178	504 911 204 14 38 389	226 3 1 1 8 39	3 1 1 1 1 1	25 20 18 3 3 5	21 19 17 3 3 6	2 2 6 3 3 11	48 No. 5. No. 6.			
		Total in circuit.	753	240	829	1	6	416	2044	1506	583	3	4	8	73	69	10	152
14	Henry E. Blair	I. W. Matheny Wingfield Griffin Roanoke county Montgomery Floyd Craig	64 194 30 49	60 64 23 7	61 191 13 52		49 85 60 25	245 257 175 90	179 205 113 59	68 85 27 22					10 12 3 4	10 12 6 7	20 7 9 11	
		Total in circuit.																
15	S. W. Williams	Carroll Wythe Pulaski Giles Bland Tazewell	159 81 169 252	81 169 204 1	169 204 1 1		2 117 326 41	53 2 18 27	41 53 2 18	53 2 18 27					18 27 45	No. 7.		
		Total in circuit.																
16	Jno. P. Shaffer	Smyth Washington Grayson Russell	252 187 204 1	187 204 1 1	204 1 1 1		141 674 455 89	8 1 3 1	8 1 3 1	8 1 3 1					12 39 42			
		Total in circuit.																
17	W. T. Miller	R. M. Alley Lee W. E. Kilgore	102 77 28	77 28 20	28 20 10		87 165 171	104 1 1	1 1 1	1 1 1					8 12 10	30		
		Dickenson Buchanan	230 191	201 10	10 111		302 210	86 12	12 19	12 19					81			
		Total in circuit.																
18	James A. Dupuy	Bedford Roanoke city																
		Total in circuit.																

RECAPITULATION.

Circuit Superior Courts of Law and Chancery—Number of Suits, &c., in each Circuit, August 31, 1884.

CIRCUITS.	JUDGES.	ACTIONS AT LAW.				SUITS IN EQUITY.								PROSECUTIONS.				DAYS OF SESSION.					
		No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. removed to other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. final decrees.	No. removed from other courts.	No. removed to other courts.	No. commenced.	No. pending.	No. decided.	No. nolle prosequis.	Changes of venue from the court.	Changes of venue to the court.	Fall term.	Spring term.	Intermediate or special terms.	Total.	
7	R. R. Prentiss.	7																					
8	E. A. Hancock	2																					
9	Samuel F. Coleman	2																					
10	S. G. Whittle	2																					
11	Taylor Berry	2																					
12	Daniel A. Grimsley.	2																					
13	B. R. Wellford, Jr.	486	323	454	29		68	546	349	119	3	2	23	7	15	3			125	161	71	357	
14	B. T. Gunter																						
15	T. R. B. Wright																						
16	William S. Barton																						
17	C. E. Nicol																						
18	Thomas W. Harrison.																						
19	William McLaughlin	753	240	829	1	6	416	2,044	1,509	582	3	4	3						73	69	10	152	
20	Henry E. Blair																						
21	Samuel W. Williams																						
22	John P. Sheffey																						
23	W. T. Miller.																						
24	James A. Dupuy																						

NOTES.

NOTE No. 1.—*Corporation Court*.—Richmond city: Suits in equity—This court, being a court of exclusive original jurisdiction of all criminal prosecutions for the city of Richmond, and it having no original jurisdiction, except in actions of forcible or unlawful entry and detainer, there are no cases to make report of in the second of the classes set out in the form prescribed by law, as above. Of the one hundred and sixty criminal cases pending on the dockets of this court on the last day of August, 1894, as shown by this report, one hundred and twenty-two were revenue prosecutions instituted at the July term previous, and for the trial of which summonses were awarded, returnable to the next September term (this court holding no term in August), and really there were only thirty-eight criminal cases proper then pending on the docket.

NOTE No. 2.—*Fifth Circuit*.—Appomattox: The final decrees embrace decrees entered against commissioners' reports for restoring lost records.

NOTE No. 3.—*Seventh Circuit*.—Henrico: Two of the three cases under the head of number of prosecutions decided were writs of errors in criminal cases.

NOTE No. 4.—*Ninth Circuit*.—Northumberland: Law—Number commenced and number decided include four confession of judgments. Equity—The number (twenty-nine) of interlocutory decrees include several continuances and three orders in vacation, and nine final decrees include several dismissal at rules.

NOTE No. 5.—*Thirteenth Circuit*.—Augusta: Of the number (one hundred and fifty-four) of chancery causes commenced, eighteen were causes re-instated, and in twelve of said causes final decrees were entered. There are two causes pending on appeal from the county court—viz: Talley v. The Commonwealth and Walker v. same.

NOTE No. 6.—*Rockbridge*: In the actions at law, commenced and pending, are included two appeals from the County Court of Rockbridge, which were pending on the court docket at the September term, 1894.

NOTE No. 7.—*Fifteenth Circuit*.—Wythe: One case of felony appeared from county court, and judgment affirmed.

COUNTIES AND CITIES

FROM WHICH

NO REPORTS RECEIVED FOR YEAR ENDING
AUGUST 31, 1894.

Supreme Court of Appeals.—Staunton.

Corporation Courts.—Bristol, Fredericksburg, Lynchburg, Norfolk, Neapolis, Portsmouth, Roanoke, Staunton and Winchester.

Circuit Courts.—Princess Anne, Norfolk county, Southampton, Isle of Wight, Norfolk city, Portsmouth, Brunswick, Dinwiddie, Powhatan, Buckingham, Cumberland, Halifax, Henry, Franklin, Campbell, Amherst, Lynchburg, Madison, Northampton, Elizabeth City, Warwick, James City and Williamsburg, Charles City, Lancaster, Gloucester, King William, Mathews, Middlesex, King George, Fredericksburg, Loudoun, Fairfax, Prince William, Rappahannock, Alexandria county, Frederick, Warren, Page, Montgomery, Carroll, Pulaski, Giles, Bland, Tazewell, Smyth, Grayson, Russell, Lee, Dickenson, Buchanan, Bedford and Roanoke city.

ABSTRACT

From the reports of Clerks of the Supreme Court of Appeals, Corporation and Circuit Courts, for the year ending 31st August, 1895, exhibiting the state of Suits in their respective Courts.

SUPREME COURT OF APPEALS.

JUDGES.	CLERKS.	LOCATION OF COURTS.	APPEALS, WRITS OF ERROR AND SUPERSEDEAS.					Days of session.
			No. Commenced.	No. Pending.	No. interlocutory decrees and orders.	No. final decrees and judgments.	No. removed from other courts.	No. removed to other courts.
Richard H. Cardwell.....	George K. Taylor.....	Richmond	90	191	.....	118	27	5
John A. Buchanan.....	Jos. A. Waddell	Staunton.						
George M. Harrison.....	W. G. G. Lowry	Wytheville.....	85	72	.....	79	.....	3
John W. Riely.								
James Keith.								

CORPORATION COURTS.

JUDGES.	CLERKS.	CITIES.	ACTIONS AT LAW.			SUITS IN EQUITY.					PROSECUTIONS.				DAYS OF SESSION.			NOTES.			
			No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. final decrees.	No. removed from other courts.	No. commenced.	No. pending.	No. decided.	No. nolle prosequi.	Changes of venue from the court.	Fall term.		Spring term.	Intermediate or special terms.	Total.
J. K. M. Norton		Alexandria.																			
J. O. Shepherd		Buena Vista.																			
J. J. O. Shepherd		Bristol.																			
Wm. F. Rhea.	R. W. Duke.	Charlottesville.	66	9	51		11	35	75	5	1	19	2	17	1		18	18	38	74	
R. T. W. Duke, Jr	Wm. Rison	Danville.	114	56	151		20	144	204	37		150	15	143	6						116
A. M. Aiken		Fredericksburg																			
A. W. Wallace.		Lynchburg.																			
Frank P. Christian.		Manchester.	52	12	40	2	27	134	112	16		58	6	42	10						124
John H. Ingram.	H. E. DuVal	Norfolk																			
John H. Tucker		Neapolis																			
J. Tucker Brooke.		Petersburg	58	6	55	1	36	156	122	90	2	123	5	111	10						178
A. M. Aiken	Ro. Gilliam	Portsmouth	55	25	47		24	18	62	18		73	5	32	4						169
A. M. Aiken	C. T. Phillips	Richmond	136	84	180	92						312	85	685	177						246
A. S. Watts	W. P. Lawton	Roanoke.																			
S. B. Witt		Staunton.																			
John W. Woods		Winchester	10	38	10	5	3	30	29	5	2		16	14	7						52
Charles Gratian																					No. 1.
Wm. M. Atkinson	Richard L. Gray																				No. 2.
																					No. 3.

CIRCUIT COURTS—CONTINUED.

CIRCUITS.	JUDGES.	CLERKS.	COUNTIES AND CITIES.	ACTIONS AT LAW.					SUITS IN EQUITY.					PROSECUTIONS.					DAYS OF SESSION.				NOTES.
				No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. removed to other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. removed from other courts.	No. final decrees.	No. commenced.	No. pending.	No. decided.	No. nolle prosequi.	Changes of venue from the court.	Changes of venue to the court.	Fall term.	Spring term.	Intermediate or special terms.	
3	Sam'l F. Coleman.	W. C. Curtis. Jno. L. Yates. J. C. Carrington. E. H. Coleman. W. H. Thackston.	Mecklenburg.....	48	10	48			62	238	160	50								7	7		14
			Lunenburg.....	10	17	10			20	135	102	20								4	2		6
			Charlotte.....	35	19	18			31	188	81	18								4	4		8
			Amelia.....	22	17	28			16	199	101	18								4	5		9
			Powhatan.....																				
			Prince Edward.....	41	20	50			23	178	51	15	1							4	5		9
			Buckingham.....																				
			Cumberland.....																				
			Total in circuit.....																				
			Halifax.....	108	101	342	1	115	409	346	114									11	6		17
4	S. G. Whittle.	S. S. Hurt	Pittsylvania.....																				
			Henry.....																				
			Franklin.....																				
			City of Danville.....	4	23	19		20	10	6											3	2	5
			Total in circuit.....																				
5	Taylor Berry.	Geo. T. Peew	Campbell.....	9	3	11			14	42	23		17								2	3	
			Appomattox.....																				5 No. 4.

[illegible]

CIRCUIT COURTS—CONTINUED.

CIRCUITS.	JUDGES.	CLERKS.	COUNTIES AND CITIES.	ACTIONS AT LAW.				SUITS IN EQUITY.				PROSECUTIONS.				DAYS OF SESSION.				NOTES.		
				No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. final decrees.	No. removed from other courts.	No. commenced.	No. pending.	No. decided.	No. nolle prosequis.	Charges of venue from the court.	Charges of venue to the court.	Fall term.		Spring term.	Intermediate or special terms.	Total.
10	Wm. S. Barton	Sam'l H. Parsons	City of Fredericks'g. Louisa.	89	16	90	1	28	407	180	21							2	3		5	
			Total in circuit.																			
11	C. E. Nicol	E. L. Bennett Jno. R. Turner	Loudoun Fauquier	81	18	90		46	189	210	51							6	6	6	18	
			Fairfax.	82	73	83		41	388	212	56	3						12	5	10	27	
			Prince William.																			
			Rappahannock																			
			Alexandria county																			
			City of Alexandria.																			
			Total in circuit.																			
12	Thos. W. Harrison.	Jno. M. Gibson	Frederick	39	40	40		22	128	119	63							4	7	8	19	
			Clarke.																			
			Warren	185	108	181		106	433	272	672							8	12	14	34	No. 7.
			Shenandoah.	67	37	67		31	328	147	107	1						4	5	8	12	
			A. Broadus.																			
			Total in circuit.																			

13	Wm. McLaughlin	Jos. B. Woodward. John C. Boude. D. H. Lee Martz. A. G. Clegg. J. C. Matheny. J. J. Hobbs.	408 115 367 78 88 105 5 1 163 46 165 32 4 22 24 66 17 66	129 631 314 140 57 330 214 84 1 137 696 661 186 19 112 46 18 13 62 40 6 27 177 130 28	24 14 17 15 6 38 22 20 3 46 2 2 1 1 4 1 9	No. 8.
		Total in circuit.	764 288 755 5 1	382 1654 1405 482 1	70 56 10 136	
14	Henry E. Blair	J. W. Matheny	60 63 65	47 279 190 27	11 10 4 25	
		Boletourt.				
		Roanoke county.				
		Montgomery				
		Floyd	30 16 31	70 100 162 41	1 4 8 7	
		Craig	33 20 30	20 86 61 11	3 4 7	
		Total in circuit.				
15	S. W. Williams	Carroll. Wythe. Fulaski. Giles. Blaine. Tazewell.				
		Total in circuit.				
16	Jno. P. Shetty	Smyth. Washington Grayson. Russell.	190 128 207 2 3	132 677 449 144 9 4	18 21 22 61	
		Total in circuit.				
17	W. T. Miller	R. M. Alley W. E. Kilgore Jos. Hibbitts	71 62 95 83 47 80 9 9 22 9 25	102 228 155 113 1 134 238 276 132 5 12 50 112 43 25	9 10 8 27 18 15 19 52 5 5 2 12	
		Total in circuit.				
18	James A. Dupuy	Bedford. Roanoke city				
		Total in circuit.				

RECAPITULATION.

Circuit Superior Courts of Law and Chancery—Number of Suits, &c., in each Circuit, August 31, 1895.

CIRCUITS.	No. of counties and cities in each circuit.	JUDGES.				ACTIONS AT LAW.			SUITS IN EQUITY.					PROSECUTIONS.					DAYS OF SESSION.				
		No. commenced.	No. pending.	No. decided.	No. removed from other courts.	No. removed to other courts.	No. commenced.	No. pending.	No. interlocutory decrees.	No. final decrees.	No. removed from other courts.	No. removed to other courts.	No. commenced.	No. pending.	No. decided.	No. nolle prosequis.	Changes of venue from the court.	Changes of venue to the court.	Fall term.	Spring term.	Intermediate or special terms.	Total.	
1	7	R. R. Prentiss.																					
2	9	B. A. Hancock																					
3	3	Samuel F. Coleman																					
4	4	S. G. Whittle																					
5	6	Taylor Berry																					
6	7	Daniel A. Grimsley																					
7	2	B. R. Wellford, Jr.	237	283	388	10	8	63	570	306	37	1	1	80	1	80	5		116	163	71	350	
8	8	B. T. Gunter																					
9	9	T. R. B. Wright																					
10	9	William S. Barton																					
11	7	C. E. Nicol																					
12	5	Thomas W. Harrison																					
13	6	William McLaughlin	764	268	755	5	1	382	1,954	1,405	482	1		1					70	56	10	136	
14	6	Henry E. Blair																					
15	6	Samuel W. Williams																					
16	4	John P. Sheffey																					
17	4	W. T. Miller																					
18	3	James A. Dupuy																					

NOTES.

NOTE No. 1.—*Corporation Court*—Portsmouth: The large number of nolle pros. is caused by having a large number of "clubs" indicted for selling liquor without license. One case was tried, and the Commonwealth failed to make out a case, and all the remaining cases were similar. They were dismissed.

NOTE No. 2.—*Corporation Court*—Richmond city: Suits in equity—This court, being a court of exclusive original jurisdiction of all criminal prosecutions for the city of Richmond, and it having no original jurisdiction, except in actions of forcible or unlawful entry and detainer, there are no cases to make report of in the second of the classes set out in the form prescribed by law, as above. Of the eighty-five criminal cases pending on the dockets of this court on the last day of August, 1895, as shown by this report, forty-one were revenue prosecutions instituted at the July term previous, and for the trial of which summonses were awarded, returnable to the next September term (this court holding no term in August), and really there were only forty-four criminal cases proper then pending on the docket.

NOTE No. 3.—*Corporation Court*—Winchester: Actions at law—Number pending—Old and new cases on motion docket, 21; old and new cases on issue docket, 17; number removed from other courts, —; removed from Circuit court, —. Suits in equity—Number pending, —; old and new cases on court docket, —.

There were thirty-four indictments found by grand juries during this period—September, 1894, to August 31, 1895.

NOTE No. 4.—*Fifth Circuit*—Appomattox: The final decrees embrace decrees entered on Commissioners' reports restoring lost records.

NOTE No. 5.—*Sixth Circuit*—Fluvanna: In final decrees are included quite a number of suits dismissed under the five-years' law.

NOTE No. 6.—*Ninth Circuit*—Northumberland: Law—In cases decided, one dismissed at rules.

NOTE No. 7.—*Twelfth Circuit*—Shenandoah: Common-law causes pending includes new suits to September term, beginning next day after this report closes. Suits in equity "decided" include a large number of causes stricken from the docket under section 3312 Code 1887.

NOTE No. 8.—*Thirteenth Circuit*—Rockingham: Several ended chancery causes were reinstated.

COUNTIES AND CITIES

FROM WHICH

NO REPORTS RECEIVED FOR YEAR ENDING
AUGUST 31, 1895.

Supreme Court of Appeals.—Staunton.

Corporation Courts.—Alexandria, Buena Vista, Bristol, Fredericksburg, Lynchburg, Norfolk, Neapolis, Roanoke, and Staunton.

Circuit Courts.—Princess Anne, Isle of Wight, Norfolk city, Brunswick, Prince George, Powhatan, Buckingham, Cumberland, Halifax, Henry, Patrick, Franklin, Campbell, Amherst, Lynchburg, Goochland, Madison, Northampton, York, Warwick, James City and Williamsburg, Lancaster, King William, Mathews, Middlesex, Fredericksburg, Fairfax, Prince William, Rappahannock, Alexandria county, Alexandria City, Frederick, Warren, Roanoke county, Montgomery, Carroll, Wythe, Pulaski, Giles, Bland, Tazewell, Smyth, Grayson, Russell, Lee, Dickenson, Bedford, and Roanoke city.

J. BELL BIGGER,
Clerk of House of Delegates.

Contested Election.

F. M. PARRISH, Contestant,

vs.

W. M. FLANAGAN, Contestee.

PETITION.

To the Honorable President and Members of the Senate of Virginia :

The petition of Frederick M. Parrish, of the county of Goochland, in the Sixteenth senatorial district of Virginia, composed of the counties of Goochland, Powhatan, and Chesterfield, and the city of Manchester, respectfully represents that at the election for members of the General Assembly of Virginia held on Tuesday after the first Monday in November, 1895, he received a majority of the legally qualified votes cast in said Sixteenth senatorial district for senator at said election, although a certificate has been issued to William M. Flanagan, his opponent, on the —— day of November, 1895, entitling him to a *prima facie* right to a seat in your honorable body.

Your petitioner further shows, that on the 14th day of November, 1895, within ten days after said election commenced, he gave notice in writing to the said William M. Flanagan that he (your petitioner) intended to contest the election of the said William M. Flanagan as senator to the General Assembly of Virginia from the Sixteenth senatorial district, and the grounds of his contest ; which notice, with the evidence of service endorsed thereon, your petitioner herewith files and prays may be read as a part of this petition.

Your petitioner further shows, that he proceeded, within the time prescribed by law, after due notice, to take depositions to be read in his behalf in this contest, which were duly certified and forwarded, according to law, to the clerk of this honorable body, where they are now on file.

Your petitioner further shows, that the contestee was required by law, within five days after receiving notice of said contest, to deliver to your petitioner a list of votes which he disputes, with his objections, and the votes improperly rejected, which he claimed, and the notice of his objections, if he had any, to the eligibility of your petitioner (Code of Virginia, Section 152), *which said contestee has wholly failed to do.*

Your petitioner shall object to the reading of the depositions taken on behalf of the said William M. Flanagan (except those taken by consent of counsel for both parties), because time was not given your petitioner to appear by counsel.

Wherefore your petitioner prays, for the reasons set forth in the aforesaid notice and sustained by the depositions of witnesses and other evidence, that the said William M. Flanagan may be declared not entitled to a seat in the Senate from the Sixteenth district, and that your petitioner may be declared entitled to a seat in your honorable body.

And your petitioner will ever pray, etc.

F. M. PARRISH.

NOTICE OF CONTEST.

To William M. Flanagan, Esq. :

I hereby notify you that I do and shall contest the election held on the 5th day of November, 1895, in the Sixteenth senatorial district of the State of Virginia, composed of the counties of Goochland, Powhatan, and Chesterfield, and of the city of Manchester, and I aver and shall prove that at the said election I received a greater number of legal votes than you for the Senate of the General Assembly of the State of Virginia, by a majority of the lawful votes cast at said election in said district, and should be declared and adjudged the duly elected member of said Senate from said district and not you.

As particulars or grounds for my contest, I notify you that I shall aver and prove—

1. That the whole vote at the Third Ward precinct of the city of Manchester was and is illegal, and should be rejected for the reasons:

First. That one, Simuel Logan, your party judge of election at that precinct on that day, illegally and corruptly issued ballots to the voters by issuing and distributing as many as five or six ballots to as many voters at one and the same time.

Second. That one, ——— Richardson, your party representative and manager at said precinct on that day, when said ballots had been thus issued illegally and corruptly, advised and instructed the voters holding the same respectively how to prepare said ballots; interfered and advised and counselled the electors resorting there for the purpose of voting to vote for you and the other candidates of your party at said election.

II. I shall likewise aver and prove that the whole vote cast at Smith's Cross-Roads precinct, in the said county of Powhatan, on the said day, was, and is illegal, and should be rejected for the reasons following:

First. Because the judges of election at said last named precinct on said day, before entering upon the discharge of their duties, were sworn by one W. M. Flanagan, your party candidate for the Senate at said election, and by no one else.

Second. Because of a preconcerted and systematized plan, organized and put on foot by you and your party associates, by abuse, threats, intimidations, and other unlawful means, to secure and effect the removal of one Fariss, the duly appointed constable at said precinct on that day, and the substitution and appointment of one J. Haskins Hobson, one of your party associates, in his place.

Third. The illegal and corrupt conduct of said J. Haskins Hobson, constable thus appointed, in advising the voters at said precinct on that day how to vote, and not to vote for me.

III. That the whole vote at Rocketts precinct, in the county of Goochland, was also illegal, and should be rejected for the following reasons :

First. That a crowd was allowed to assemble between the booth and the voting place, and remain there some length of time during the day.

Second. People were allowed to peep through the booth at said precinct while voters were preparing their ballots, and thus interfered with their voting.

IV. That the vote at Goochland Courthouse precinct, in said county of Goochland, was illegal, because one of the judges of election, P. E. Williams, left the precinct unlawfully and attended a funeral during the day of election.

V. That the whole vote at Deitrick's Store precinct, in said county of Goochland, was illegal and should be rejected, because only one judge remained at the polls for a considerable length of time while the election was going on, on said day of election.

VI. That the whole vote at Ford's Store precinct, in the county of Goochland, was illegal and should be rejected, because one of the judges of election, on said day of election, after performing a part of his duties as judge, traded places with Wade, the constable at said precinct, and Wade afterwards acted as judge, and Woodward, the judge, acted as constable the rest of the day.

FREDERICK M. PARRISH.

Executed November 14, 1895, on Wm. M. Flanagan, by delivering to him in person, a true copy of the within notice.

E. A. BAUGH.

Sheriff of Powhatan County, Va.

To W. M. Flanagan, Esq.:

You are hereby notified that depositions will be taken in behalf of Frederick M. Parrish, contestant, in the contested election case in which you are contestee in the next Senate of Virginia, on the days below named, between sunrise and sunset of those days respectively, at the places below named ; said depositions, if not completed, to be continued from day to day, and within said hours. until completed—viz , on Wednesday, November 20, 1895, at Smith's Cross-Roads, Powhatan County, at the blacksmith shop ; on Thursday, the 21st of November, 1895, at the following named places—viz., at the law office of Charles L. Page, in the city of Manchester, Va., and at the office of A. X. Monteiro, in the county of Goochland, Va.

FREDERICK M. PARRISH.

Executed November 14, 1895, on Wm. M. Flanagan, by delivering to him in person a true copy of the within notice.

E. A. BAUGH,

Sheriff of Powhatan County, Va.

Carter H. Harrison, Esq. :

You are hereby notified that depositions will be taken in behalf of W. R. Davis, contestant in the contested election case in the House of Delegates of Virginia, in which you are contestee, for a seat in the said House of the General Assembly of Virginia, on the days below named, between sunrise and sunset of those days respectively, at the places below named ; said depositions, if not completed, to be continued from day to day, and within said hours, until completed—viz., on Wednesday, November 20, 1895, at Smith's Cross-Roads, Powhatan County, at the blacksmith shop ; and on Thursday, the 21st of November, 1895, at the law office of Charles L. Page, in the city of Manchester, Va.

W. R. DAVIS.

Executed November 15, 1895, on Carter H. Harrison, at his usual place of abode, by delivering a true copy of the within notice to Mrs. Carter H. Harrison, his wife, a member of the said Carter H. Harrison's family over the age of 16 years, I having first explained its purport, and having called and not finding Carter H. Harrison at his said usual place of abode.

E. A. BAUGH,
Sheriff of Powhatan County, Va.

DEPOSITIONS.

The depositions of W. M. Young and others, taken in pursuance of the annexed notice, to be read as evidence on behalf of the contestant in the election contest pending before the Virginia State Senate, in which F. M. Parrish is contestant, and William M. Flanagan is contestee. Present—Colonel B. O. Jones, counsel for contestant and William Lancaster, Esq., counsel for the contestee, and the said William M. Flanagan in his own proper person.

Note by the Notary.

The parties, by counsel, consent, as evidenced by their signatures hereto, that the depositions taken in this case and the depositions taken in the case of William R. Davis, contestant, and Carter H. Harrison, contestee, and pending before the Virginia House of Delegates, shall be all read as evidence, so far as the same are applicable to either case, just as though such depositions were regularly taken in each case separately.

B. O. JAMES,
WM. LANCASTER,
WM. M. FLANAGAN.

Deposition of W. M. Young.

W. M. Young being duly sworn as witness on behalf of the contestant, deposes and says :

First question by counsel of the contestant. State your name, age, residence, and occupation ?

Answer. W. M. Young; age, fifty-three years; residence, Powhatan, Va.; occupation, farmer.

Second question by same. Where were you and what were you doing on the date of last election—to-wit, fifth day of November, this present year?

Answer. I was at Smith's Cross-Roads, this place, and acted as judge of election.

Third question by same. Who swore you and the other judges of election on that day?

Answer. Wm. M. Flanagan.

Fourth question by same. Who swore in the special constable?

Answer. Wm. M. Flanagan, commissioner in chancery, Circuit Court of Powhatan.

Fifth question by same. Is he the same Flanagan who was a candidate for the Senate at said election?

Answer. He is.

Sixth question by same. Who was the constable sworn in?

Answer. E. D. Fariss was first sworn in and subsequently J. H. Hobson was sworn in by me.

Seventh question by same. How long did Fariss serve before he was removed and Hobson sworn in?

Answer. I should think an hour and probably longer.

Eighth question by same. State whether or not J. H. Hobson is chairman of the Populist party of this State?

Answer. Yes, he is commonly reputed so to be.

Ninth question by same. Did Fariss decline to serve as constable or was he removed?

Answer. He was removed.

Tenth question by same. Had Fariss been regularly appointed by the electoral board of this county?

Answer. Yes.

Eleventh question by same. What was the majority of W. M. Flanagan over F. M. Parrish at this precinct?

Answer. One hundred and eighty-two.

Twelfth question by same. What was the majority of C. H. Harrison over W. R. Davis at this precinct?

Answer. I think it was one hundred and sixty-six.

Cross-examined by Counsel for the Contestee.

First question by the counsel for contestee. Do you know of any abuse or of any threats or of any intimidation or any lawlessness whatsoever being brought to bear upon any officer of election at Smith's Cross-Roads precinct on the day of election to effect the removal of Fariss, or for any other purpose?

Answer. No, none brought against any officer of election.

Second question by same. State your politics—for whom you voted for Senate and for House of Delegates?

Answer. I am a Democrat, and voted for all the Democratic nominees—Parrish for Senate, Davis and Wood for the House.

Third question by same. Who were the other judges of election, and state their politics?

Answer. S. H. Royall, Populist, and S. A. Baughan, Democrat, who were judges.

Fourth question by same. Was the removal of Mr. Fariss and the substitution of Mr. Hobson by the unanimous action of the judges?

Answer. It was unanimous.

Fifth question by same. Was that action recommended by Mr. G. A. Swann, as well as myself?

Answer. After earnest solicitation on my part, Mr. Swann consented to give me his opinion about it. I asked Mr. Swann if he recommended it, and he said that he did, Mr. Swann being a member of the electoral board, and having originally the appointing power, for which reason I asked his opinion.

Sixth question by same. When I swore the officers of election, was there any other person present qualified as an officer to administer oaths?

Answer. None in the room.

Seventh question by same. Did you observe on the part of J. H. Hobson any improper conduct as an officer of election, or anything that was not fair in any sense of the word?

Answer. There were some irregularities on Mr. Hobson's part; I do not know that they were unlawful. We could see Mr. Hobson talking to crowds of voters about the gate. There may have been a little crowding of the voters coming within the prescribed limits, one voter approaching before the other had retired. This was early in the morning. This is all that I can specify that appeared irregular to me, and I had no knowledge of anything else.

Eighth question by same. Had any one abused you, or threatened you, or attempted to intimidate you, or to use any other lawless conduct towards you on the day of election, what would you have done?

Answer. I should have had him arrested by the constable.

Ninth question by same. Do you not believe that your associate judges would have done the same?

Answer. I do.

Tenth question by same. Was there anything to lead you to apprehend any such lawlessness on the part of anybody?

Answer. Nothing at all.

Eleventh question by same. Do you know of any circumstance to lead you to believe that the returns made by your officers of election from this precinct were other than a perfectly fair expression of the will of the people?

Answer. Complaint was made to me by a Democrat, Isham Steiger, that Mr. Hobson, the constable, carried tickets into the booth and marked them himself, and brought them out to them—that is, to the colored voters. I asked Mr. Steiger if he could verify that statement, and Mr. Steiger replied that he had heard it; as well as I remember, that is what he told me. I told him I could not see inside of the booth, and this is my impression about what occurred; beyond this I know of nothing to indicate that the return was other than a full expression of the public voice.

Re-examined by Counsel for the Contestant.

First question. How far was the gate you have mentioned where Constable Hobson was talking to the voters from the voting place?

Answer. Somewhere about fifty-five feet. I stepped it off.

Second question by same. Who requested you and the other judges to remove Fariis, the constable, and appoint Hobson in his stead?

Answer. Mr. Flanagan.

Re-cross Examination.

First question by counsel for contestee. Were there any bounds or limits fixed by the officers of election?

Answer. No.

Second question by same. Was there any public highway from the gate you mention to the house where you were holding the election?

Answer. None.

Third question by William M. Flanagan. Who came with me to request Fariss's removal, and did Mr. Swann have anything to do with it?

Answer. Mr. Swann came when we finally acted. Mr. Flanagan had previously made the request, and Mr. Swann approved the application when made finally and when we took the action.

And further this deponent saith not.

W. M. YOUNG.

Deposition of E. D. Fariss.

E. D. Fariss being duly sworn according to law, deposes and says, after being introduced as witness for the contestant :

First question. State your age, occupation, and where you reside?

Answer. Age, thirty-four; occupation, sawyer and machinist, and I farm somewhat; live in Powhatan.

Second question by same. Were you appointed special constable for this precinct in the last election, held on the 5th of November, 1895?

Answer. I was.

Third question by same. Who requested you to resign on the day of election?

Answer. First, Mr. Swann; second, Mr. Flanagan.

Fourth question by same. Did Mr. Flanagan state to you why he requested you to resign; and if so, state how he requested it, and whether or not he made any threats in so doing?

Answer. Mr. Flanagan approached me and stated that under the circumstances I was appointed were peculiar; were I in your place I would resign. I replied to him that I knew nothing of the circumstances that were peculiar about my appointment, and he did not make any threats, but walked off.

Fifth question by same. Did Mr. Flanagan say or do anything more than you have stated before you were removed by the judges; if so, state what he did say and do?

Answer. Yes, he approached me once or twice more, and made about the same request he made the first time.

Sixth question by same. Did Mr. Flanagan attempt to intimidate you, or did he threaten you in any way about your resignation as special constable?

Answer. I do not know whether he attempted to intimidate or not, or what he called it; he did not threaten me to my face; I did not hear it.

Seventh question by same. You say that Mr. Flanagan did not threaten you to your face; did he threaten you in any other way?

Answer. I do not say that he did of my own knowledge.

Eighth question by same. Did anybody tell you he was threatening you; and if so, state who they were?

Answer. Mr. James Stratton, for one of them.

Note by Notary.

After the eighth question was read to the witness twice, he said he did not understand the question, and requested his answer to be stricken out, and then the witness continued as follows, after the question had been asked him a third time :

Answer. What do you mean by threatening? And I will answer the question

as well as I can. J. Tyree Siddons told me that Mr. Flanagan was talking rough about me in the road, and also Mr. Overton Davis; as near as I can say Mr. Flanagan said I was a fool and had no sense, hated to see me prosecuted. Mr. Overton Davis said that I could get a striped suit; he deserves some punishment.

Ninth question by same. Can you read and write?

Answer. Yes, sir.

Cross-examined by Counsel for the Contestee.

First question. In what way were you intimidated on the day of election, if at all?

Answer. I was not intimidated.

Second question by same. Who abused you?

Answer. Mr. Wm. M. Flanagan talked roughly about me.

Third question by same. Did he do that to your face?

Answer. He told the judges that he wanted them to appoint somebody that had some sense, and that the circumstances under which I was appointed were peculiar.

Fourth question by same. Did you hear Wm. M. Flanagan use any threats or abuse against the officers of election who removed you and substituted Mr. Haskins Hobson?

Answer. No.

Fifth question by same. Did Mr. G. A. Swann give you any reason for requesting you to resign?

Answer. He said, you don't seem to understand it exactly, and were I in your place I would go in and tell the judges that you can't fill the place; I told him I had been appointed and sworn in, and thought that I could, for I could read and write and would go by the law as near as I could.

Sixth question by same. What are the duties of a special election constable?

Answer. Well, to read the names on the tickets for those who cannot read, and to aid them in preparing their ballots, and see that they don't come in the limits prescribed by law in the time of voting; to keep order.

And further this deponent saith not.

E. D. FARISS.

Henry Farrar, being duly sworn a witness for the contestant, deposes and says:

First question. What is your age, occupation, and place of residence?

Answer. Age, sixty-three; occupation, mechanic; Powhatan county, Va.

Second question by same. State whether or not you voted at the election held on the 5th day of November, 1895, this precinct?

Answer. I did.

Third question by same. State if anything passed between you and Special Constable Hobson at or in the election booth; and if so, state exactly what passed—that is, what he said and what you said?

Answer. As I walked up to Mr. Hobson I said, good morning, Mass Haskins. Good morning, Henry. I said: You are in the wrong place. No, I am in the right place, was his answer. Then I went and got my ticket, and I brought it back and handed it to Mr. Hobson. He asked me what he could do for me, or words to that effect. I told him yes sir, and handed him my ticket. He asked me, who are you voting for? I told him Mr. Flanagan, Mr. Davis, and Mr. Harrison. He asked me, are you voting for Mr. Davis? I thought that you were all

right. That was all the argument that passed between us, and he fixed my ticket as I wanted it, and I saw that it was all right. I can read print.

Fourth question by same. Are you a colored voter?

Answer. Yes, sir.

Cross-examined by Counsel for Contestee.

First question by counsel for contestee. Do you know E. D. Fariss?

Answer. I do; he lives by me.

Second question by same. Is his general reputation and character good or bad?

Answer. You've got me in a sorter tie on that. I know nothing about his character. I only know him when I see him.

Third question by same. Do you know of anything about his reputation?

Answer. I don't know anything. I've heard a good deal.

Fourth question by same. Was what you have heard good or bad?

Answer. Not very good for a white man.

And further this deponent saith not.

Witness:

WILLIAM LANCASTER.

his
HENRY X FARRAR.
mark.

STATE OF VIRGINIA,

County of Powhatan, to-wit:

I, John C. Lawton, a notary public for the county aforesaid, do certify that the foregoing depositions, found on eight pages preceding this and continuing on this page, were duly taken before me, as certified and stated in the caption on page 1 and on page 5, all the witnesses being first duly sworn by me, and they subscribing their several depositions before me when completed.

An agreement in writing, entered into and signed by counsel for Carter H. Harrison. William R. Davis, William M. Flanagan, and F. M. Parrish, and filed before me, is found on page 5 of these depositions, and is returned as part thereof.

I further certify that counsel for the parties last named agreed before me that no exceptions should be taken to these depositions that would not lie if wholly written by me; all of which is hereby certified to the honorable Senate of Virginia.

Given under my hand this 20th day of November, 1895.

JOHN C. LAWTON, N. P.

NOTICE OF TAKING DEPOSITIONS IN GOOCHLAND.

To W. M. Flanagan, Esq.:

You are hereby notified that depositions will be taken in behalf of Frederick M. Parrish, contestant, in the contested election case in which you are contestee in the next Senate of Virginia, on the days below named, between sunrise and sunset of those days respectfully, at the places below named. Said depositions, if not completed, to be continued from day to day, and within said hours until completed, viz:

On Wednesday, November 20, 1895, at Smith's Cross-Roads, Powhatan county, at the blacksmith shop; on Thursday, the twenty-first of November, 1895, at the following named places, viz: At the law office of Charles L. Page, in the city of of Manchester, Virginia, and at the office of A. X. Monteiro, in the county of Goochland, Virginia.

FREDERICK M. PARRISH.

Executed November 14, 1895, on Wm. M. Flanagan, by delivering to him in person a true copy of the within notice.

E. A. BAUGH,
Sheriff of Powhatan County, Va.

The deposition of Richard W. Winston and others, taken before me, P. G. Miller, a commissioner in chancery for the Circuit Court of Goochland county, at the office of A. X. Monteiro, at Goochland Courthouse, on the 21st day of November, 1895, between the hours of sunrise and sunset, to be read as evidence in favor of F. M. Parrish, in the matter of a certain election contest for a seat in the State Senate of Virginia for the Sixteenth senatorial district, wherein said F. M. Parrish is contestant and W. M. Flanagan, contestee, pursuant to notice hereto attached. Present—F. M. Parrish, contestant and W. M. Flanagan, contestee, and his attorney, William Lancaster.

Deposition of R. W. Winston.

R. W. Winston, a witness of lawful age, being first duly sworn, deposeth and saith as follows, in answer to questions:

First question by contestant. Please state your age, residence, and occupation?

Answer. I am nearly sixty-one years old; Goochland county is my place of residence; and I am a farmer.

Second question by same. Were you present at the election held in Goochland county at the Courthouse precinct on the 5th day of November last?

Answer. Yes.

Third question by same. About what time did you vote, and who were in the polling place at the time you presented your ballot?

Answer. Just after the middle of the day—about one o'clock—and Captain Kidd, W. B. W. Brooking, J. J. Boatwright, A. B. Cornell, were all present.

Fourth question by same. After refreshing your memory are you certain no one else was present but the aforementioned?

Answer. They were all I saw. No one else was in the room.

Cross-examined by W. M. Flanagan, Contestee.

First question. Whom did you vote for for the Senate?

Answer. F. M. Parrish.

And further this deponent saith not.

R. W. WINSTON.

Deposition of William H. Kidd.

Captain William H. Kidd, another witness for contestant, being first duly sworn, deposeth and saith as follows, in answer to questions:

First question by contestant. Please state your age, occupation, and residence?

Answer. Fifty-eight years; occupation, farmer; and reside in Goochland county.

Second question by same. Were you at Goochland Courthouse precinct on the 5th of November, the day of the last election?

Answer. Yes.

Third question by same. Did you act as special constable at that precinct on that day?

Answer. Yes.

Fourth question by same. Did any of the judges of election leave the polling place for any length of time during election day, so far as you know; and if so, what judge, and for what length of time was he absent?

Answer. One of them left on one or two occasions. Primus Williams was the judge I allude to. Upon one of the occasions for over thirty minutes he was absent; on the other occasion less.

Fifth question by same. Who were the judges of election at Goochland Courthouse on that occasion?

Answer. J. J. Boatwright, Primus Williams, and N. B. Duke.

Cross-examined by W. M. Flanagan, Contestee.

First question. For whom did you vote for senator?

[Note.—This question objected to by contestant as contrary to law.]

Answer. Mr. Parrish.

Second question by same. Did you prepare any ballots for illiterate voters on the day of election?

Answer. I did.

Third question by same. In what way did you prepare them?

Answer. As the voters desired.

Fourth question by same. What do you mean by that answer?

Answer. I mean I prepared them as they directed.

Fifth question by same. In what respect and in what manner did they direct you?

Answer. They would direct me to read the names, and then tell me whom they wanted scratched. I would tell them they must do their own scratching, while I would point out with my finger the names they wanted left, with a few exceptions. Several men could not see and asked me to scratch for them, which I did.

Sixth question by same. Where the voters could see, did you require them to do their own scratching?

Answer. I did.

Seventh question by same. It is true, then, as I understand you, that you declined to do the scratching yourself?

Answer. I did where they could see; and I running my finger on the lines showing them who to scratch, and showed them how to scratch.

Eighth question by same. Were any of those people that you assisted in favor of W. M. Flanagan for the Senate?

Answer. They were.

Ninth question by same. Were any of them in favor of F. M. Parrish?

Answer. They were.

Tenth question by same. Name those that were in favor of F. M. Parrish.

Answer. Thomas Johnson, Belmore Johnson, Isaac Kinney, Albert Edwards, and several others that I know, but just can't call their names now.

Eleventh question by Same. When the voter would request your assistance, state what he would say?

Answer. They would tell me who they wanted to vote for.

Twelfth question by same. Then what would you do?

Answer. Read and point out the names on the ticket to them.

Thirteenth question by same. Was it not a fact that a number of the voters who told you they wanted to vote for Wm. M. Flanagan left you with a ticket prepared for voting with the names of Wm. M. Flanagan and Wm. W. Swann thereon?

Answer. Not to my recollection.

Fourteenth question by same. How do you account for the fact that a number of tickets were found in the box prepared that way?

Answer. I have no idea. I didn't fix all the tickets for the illiterate—they were smart enough to fix them themselves; that is the only way I can account for it.

Fifteenth question by same. Did the parties that you have named as voting for F. M. Parrish, as well as those that you can't name, all do their own scratching?

Answer. I do not remember.

Sixteenth question by same. Have you not sworn that you made them all do their own scratching?

Answer. No, sir.

Seventeenth question by same. Did you scratch for any of them except those who were blind?

Answer. I did, for several.

Eighteenth question by same. Name them.

Answer. I disremember. I know that several of them told me that their hands trembled and asked me to scratch for them, while I had required them to do their own scratching.

Nineteenth question by same. Will you swear, and do you swear, that you saw no tickets prepared by you, or by an illiterate voter in your presence, that did not have the name of Wm. M. Flanagan and Wm. W. Swann on it, for the Senate?

Answer. Not to my recollection.

Twentieth question by same. When the illiterate voter requested you to prepare his ballot, and stating to you at the same time that he wanted to vote for Wm. M. Flanagan, why is it that you did not scratch his ballot and prepare it for him so that he could vote as he had indicated?

Answer. I did.

Twenty-first question by same. You stated above that you made the voters do their own scratching; did they do it, or did you?

Answer. Some of them did.

Twenty-second question by same. Can you name one who did do it?

Answer. I do not recollect now.

Twenty-third question by same. Was it a fact that at this precinct there were in the ballot box some twenty or thirty ballots that had on them the name of William M. Flanagan and the name of William W. Swann as candidates for the Senate, and which were not counted by the judges for either of the candidates?

Answer. I don't know. I didn't handle the tickets, and never saw the face of one after it went in the ballot box.

Twenty-fourth question by same. Did you consider that it was your duty, under the law, to prepare the ballot entirely for the illiterate voter by scratching with your own hand upon his request, or did you consider it to be your duty merely to point out the names and require him to do his own scratching in cases where the voter could see?

Answer. I considered that he should do his own scratching while I ran my finger over the names to be scratched, excepting in case of those who couldn't see.

Twenty-fifth question by same. Is that the line upon which you acted?

Answer. It is.

Twenty-sixth question by same. Who advised you to that effect?

Answer. The law, the instructions, as I understood it—the election law.

Twenty-seventh question by same. Who gave you those instructions? In what form were they given, written or verbal?

Answer. None given to me. I sketched over the constable's duty in the election law.

Twenty-eighth question by same. Can you refer me to the section that requires you to do that?

Answer. I might. I have no recollection now.

Twenty-ninth question by same. Did you ever hear that the Court of Appeals had decided that it was your imperative duty as a sworn officer to fix those tickets with your own hand when requested by the voter so to do?

Answer. Not to my recollection.

Thirtieth question by same. Did you ever hear of that court's decision that the word "may" in the law to which you referred meant "shall?"

Answer. I don't recollect now whether I did or not.

Thirty-first question by same. Did you ever hear the question raised or discussed as to whether that word "may" meant "shall," or did you ever hear any one mention the subject?

Answer. I have no recollection of it.

Thirty-second question by same. Do you ever read the newspapers?

Answer. Sometimes.

Thirty-third question by same. Did you ever hear, or did you ever read, anything in print on that question?

Answer. Perhaps I may.

Thirty-fourth question by same. Do you know whether you did or not?

Answer. Don't recollect.

Thirty-fifth question by same. If you had ever seen or heard any discussion on that subject don't you think you could recall it?

Answer. I might then, can't now.

Thirty-sixth question by same. Is it true, then, that you swear, upon your oath, that you can recall no reference either in printing, or in writing, or verbal, to the question of the meaning of the word "may" as used in the law to which you refer; and do you swear that the question has not occurred to your mind before to-day?

[Note —This question and all others of a similar character which relate to the duties of a special constable, are objected to by contestant, because they are irrelevant.]

Answer. I do not remember.

Thirty-seventh question by same. What has been your business for the last five years?

Answer. Been farming at it.

Thirty-eighth question by same. Is it not a fact that you have been an active deputy sheriff in the county of Goochland during that time?

Answer. I acted in that capacity part of the time; part of the five years.

Thirty-ninth question by same. State how long you so acted, and when you ceased so to act?

Answer. Between six and seven years; last July, 1895, I ceased to act.

Fortieth question by same. Under whom did you serve?

Answer. R. A. Trice.

Forty-first question by same. Was he not defeated in the last election by W. M. Crouch?

[Note.—Objected to by contestant as irrelevant.]

Answer. He was.

Forty-second question by same. During your administration as deputy sheriff and up to the present time, is it not true that you have been more or less prominently connected with the politics of Goochland county?

[Note.—Objected to by contestant as irrelevant.]

Answer. I did not consider myself a politician.

Forty-third question by same. Do you ever discuss politics and political candidates?

Answer. Very little and very seldom. I could give my reasons for it, but it is not necessary; I have something else to do.

Forty-fourth question by same. Have you ever heard any discussion by politicians of the Walton bill?

[Note.—Objected to as irrelevant.]

Answer. I have heard a good many say they didn't understand it.

Forty-fifth question by same. Any of them say anything about "may" meaning "shall"?

[Note.—Objected to by contestant as irrelevant.]

Answer. Can't call to recollection now.

Forty-sixth question by same. Was there any voting done during the absence of the judge, Primus Williams, to which you have referred?

Answer. Not to my recollection.

Forty-seventh question by same. When were you appointed constable, and who did it?

[Note.—Objected to by contestant as irrelevant.]

Answer. Ten or fifteen days previous to the election, as I remember, by the electoral board.

Forty-eighth question by same. Who acted in your place at the spring election?

Answer. P. G. Miller.

Forty-ninth question by same. Was it intimated to you by any one before you were appointed that you would be selected?

[Note.—Objected to by contestant as irrelevant.]

Answer. None whatever, sir; I knew nothing of it until I was notified.

Re-examination by Contestant.

First question by contestant. You have stated, in answer to a previous question, that not to your recollection did any one vote during the absence of the judge, Primus Williams—was it not possible or probable that some did vote without your knowledge?

Answer. It is very probable they did.

And further this deponent saith not.

W. H. KIDD.

Deposition of John A. Wade.

John A. Wade, another witness for contestant, being first duly sworn, deposeth and saith as follows in answer to questions :

First question by contestant : Please state your age, residence, and occupation ?

Answer. Am sixty-seven years old ; farmer ; live in Goochland county.

Second question by same. Were you at the Ford's Store precinct at the election held November 5, 1895 ?

Answer. Yes.

Third question by same. Did you act as judge of election at said precinct on said day ?

Answer. I did.

Fourth question by same. By whom were you appointed ?

Answer. By Benjamin J. Walton.

Fifth question by same. By whom was George Woodward appointed constable on that day ?

Answer. By Benjamin J. Walton.

Sixth question by same. Is it not a fact that after you were appointed judge and George Woodward constable, by B. J. Walton, that he (Walton) acted as judge in the place of Beverly Robinson ?

Answer. Yes.

Cross-examined by Contestee.

First question by same. What time was the change made ?

Answer. Early in the morning ; sun was not more than half an hour or an hour high.

Second question by same. How many votes had been polled ?

Answer. No votes had been polled.

Third question by same. Did the officers of election who were in charge of the polls when the voting commenced continue in charge all day and make the returns at night ?

Answer. Yes.

Fourth question by same. Did you see anything, or do you know of anything by which Mr. Parrish was deprived of any vote that he was entitled to ?

Answer. No, sir ; I don't know what was done out of doors—I was in the house.

Re-examined by Contestant.

First question by contestant. Who were the judges of election at Ford's Store precinct ?

Answer. Benjamin Walton, myself, and Luther Nuckols.

And further this deponent saith not.

JOHN A. WADE.

Deposition of William M. Crouch.

William M. Crouch, another witness for the contestant, being first duly sworn, deposeth and saith as follows, in answer to questions :

First question by contestant. Please state your age, occupation, and residence ?

Answer. Fifty-three years old ; sheriff of Goochland county ; live at Manakin, in Goochland county.

Second question by same. Were you present at Deitrick's Store precinct in this county at the election on November 5th, and did you not act as judge of election part of the day ?

Answer. I was and I did.

Third question by same. About what time of the day were you sworn in as judge?

Answer. About 7:30 o'clock. Sun was about three-quarters of an hour high.

Fourth question by same. Is it not a fact that a number of votes had been cast before you were sworn in as judge?

Answer. Yes.

Cross-examined by Contestee.

First question by contestee. How many votes were cast before you were sworn in?

Answer. Not more than ten or fifteen, at the outside.

Second question by same. The contestant, F. M. Parrish, charges that only one judge remained at the polls for a considerable length of time while the election was going on. State what you know about it?

Answer. I don't think that was the case. I think two were present the whole time; and after I was sworn in three were present; now and then one would go out, but two were present all the time.

Third question by same. After you were sworn in was the voting done in the presence of all three of the judges?

Answer. Nearly all the time. I might have stepped out once or twice, or some one of the other judges may have stepped out to feed his horse, or something of that sort.

Fourth question by same. Were the ten or fifteen people of which you speak as having voted in the presence of two judges only legally qualified voters at that precinct?

Answer. They were.

Fifth question by same. Are you satisfied that the returns made by the officers of the election from your precinct represented fairly the vote cast in good faith by the voters at that precinct?

Answer. I am.

And further this deponent saith not.

W. M. CROUCH.

Deposition of Joseph Michaux.

Joseph Michaux, another witness for contestant, being first duly sworn, deposeth and saith as follows, in answer to questions:

First question by contestant. Please state your age, occupation, and residence?

Answer. Thirty-five years old; a farmer; residence, Goochland county.

Second question by same. Were you present at Rocketts precinct in this county at the election held on the 5th November, 1895.

Answer. I was.

Third question by same. Did you not see quite a number of people collected together between the polling place and the booth during the day?

[Note.—Objected to by contestee as improper and illegal upon the ground that the same is leading.]

Answer. Yes.

Fourth question by same. Did you or not see any person or persons peeping through the booth while the voters were preparing their tickets?

[Note.—Objected to by contestee as improper and illegal upon the ground that the same is leading.]

Answer. I saw a person.

Fifth question by same. Was it necessary for a voter, going from the booth to the polling place, to pass through this crowd standing between the voting place and the booth?

Answer. Sometimes it was.

Sixth question by same. How far was the crowd from the booth?

Answer. No regular distance; sometimes right up against it. The crowd came up or went back as it pleased; no order was kept at all; just as it was before the law was passed.

Cross-examined by contestee.

First question by contestee. Who was the constable, and state what were his politics?

Answer. George Harris; you must ask him his politics.

Second question by same. Do you know who he supported either for the Senate or for the House?

Answer. I do not.

Third question by same. Who were the judges of election?

Answer. J. J. Rutherford, C. F. Harris, and Mr. William Slayden.

Fourth question by same. Do you know their politics?

Answer. No, sir.

Fifth question by same. State what disorder you saw, if any, at that precinct, and describe it minutely and particularly?

Answer. The same answer I gave to the question asked by Mr. Parrish.

Sixth question by same. Was anybody hindered or prevented, by what you saw, from casting their ballot as they desired?

Answer. Not one, that I saw.

Seventh question by same. Have you any reason to believe anybody was so hindered there that day?

Answer. No reason to believe so.

Eighth question by same. If there had been any hindering of the voter or voters by the crowd you speak of would you have seen it, standing, as I suppose you were, in sight of the crowd?

Answer. I reckon I would.

Ninth question by same. Have you any reason to believe that the returns, as made by the officers of election, are any more or less than a true representation of the will of the people as expressed in good faith at that precinct?

Answer. None.

Tenth question by same. Did you vote for Mr. F. M. Parrish?

[Note.—Excepted to by contestant as being illegal.]

Answer. I decline to answer that question.

Eleventh question by same. Are you a Democrat?

[Note.—Excepted to by contestant.]

Answer. I am.

Twelfth question by same. How many composed the crowd you speak of?

Answer. That's hard to answer; a pretty good crowd, though; 171 votes were cast there that day.

Re-examined by Contestant.

First question by contestant. Was it or was it not possible for this crowd which collected, as you stated, at times close to the booth, to hear the voice and language

of the voter within if he spoke in an ordinary tone of voice to the constable who prepared the tickets of the illiterate ones?

Answer. Easily.

Second question by same. Is it or is it not true that in that community, as it is in others, that voters may vote differently when the secrecy of their vote is not assured from what they will when absolute secrecy is assured?

Answer. I suppose it is.

And further this deponent saith not.

JOSEPH MICHAUX.

Deposition of William M. Sharp.

William M. Sharp, another witness for the contestant, being first duly sworn, depoeeth and saith as follows, in answer to questions :

First question by contestant. Please state your age, occupation, and residence.

Answer. Fifty years of age ; engaged at Virginia State penitentiary ; reside in Goochland.

Second question by contestant. Were your present at Rocketts precinct in this county on the 5th November, when the election was held there ?

Answer. Yes, sir.

Third question by same. State what you saw during the day at that precinct that you regard as contrary to the Walton election law ?

[Note.—Excepted to by contestee as leading and illegal.]

Answer. I frequently saw the crowd Mr. Michaux spoke of near where they were balloting—between there and the booth.

Fourth question by same Was it or was it not necessary for the voter in going from the booth to the voting place to pass through the crowd spoken of?

Answer. I saw them pass through it ; I saw some three, four, or five—about 5 o'clock in the evening. I saw at least that number, how many more I couldn't say.

Fifth question by same. Is it or is it not reasonable, from the proximity of the crowd to the booth, it being in hearing distance of the constable and the voter, in the preparation of the ballot, to have effected more or less the result of the poll at that precinct?

[Note—Objected to as illegal by the contestee.]

Answer. I don't understand the question.

Sixth question by same. For how many years have you been a voter at Rocketts precinct, and up to what time ?

Answer. I voted there for twenty years, up to this year.

Seventh question by same. Are you or are you not familiar with politics and the individual voters of Rocketts precinct ?

Answer. I think so.

Eighth question by same. From such familiarity, will you say whether or not the lack of absolute secrecy as to how the voters at this precinct voted would affect the manner in which their votes might be cast ?

Answer. I think it would.

Ninth question by same. Was it possible for any members of the crowd which you state collected close to the booth to have heard the words of the voter to the constable in the booth had they been pronounced in the usual and ordinary tone of voice used in conversation ?

Answer. I think so.

Tenth question by same. In answer to a former question you stated that at about five o'clock P. M. you saw four or five persons, voters that is to say, pass through the crowd. Was this the only occasion on which you saw this done?

Answer. It was, sir. Between four and five o'clock, as stated.

Eleventh question by same. Was it possible at other times during the day for this to happen without your knowledge?

Answer. Yes, sir.

Twelfth question by same. Is it not true that there are voters at that precinct who would vote the Democratic ticket if absolute secrecy is guaranteed them, who would not vote it otherwise?

[Note.—Objected to as illegal by contestee.]

Answer. I think so.

Thirteenth question by same. Don't you know it is so?

Answer. Yes, I think I know it is so.

Cross-examined by Contestee.

First question by contestee. Are you a Democrat?

Answer. Yes, sir.

Second question by same. Did you vote for F. M. Parrish for the Senate?

Answer. I did not.

Third question by same. Were you at your voting precinct on day of election?

Answer. I was not.

Fourth question by same. Where did you spend the day?

Answer. At Rocketts.

Fifth question by same. Why did you do so?

Answer. Because I thought it was best for me to be there on that occasion.

Sixth question by same. Is it not a fact, Mr. Sharp, that you went there as the political friend and supporter of F. M. Parrish, and for the purpose of aiding his election?

Answer. It is, sir.

Seventh question by same. Did he not secure for you the position you now occupy at the penitentiary?

[Note.—Objected to by contestant because the question seems to have been introduced for the purpose of attacking his credibility as a witness when he could not do so by this method.]

Answer. Through and by his assistance, I think, I secured that place.

Eighth question by same. Have you not declared that Wm. M. Flanagan should be unseated and F. M. Parrish seated in his stead?

Answer. I have not, as I remember.

Ninth question by same. Did you hear any voter complain of any want of secrecy in the casting of his ballot? If so, give his name. I expect you to do this because you have sworn upon your oath that you know the voters of that precinct.

Answer. I think not, sir.

Tenth question by same. On your knowledge that you have sworn you have, give me the names of the three, four, or five voters that you say voted and passed through that crowd?

Answer. A colored boy by the name of Dabney—I don't remember his first name—William Holland, Ben. Carter, and Sam. Carter.

Eleventh question by same. Do you know how they voted, or did you hear either of them say how they intended to vote?

Answer. I heard Holland say he was going to vote the Democratic ticket. The balance I don't know how they voted.

Twelfth question by same. Name any voter in the long list, with which you say you are familiar, that was prevented on the day of election from casting his ballot for the Democratic ticket, or for any part of it, by a want of secrecy?

Answer. I don't know of any.

Thirteenth question by same. Are there any Republicans in that precinct?

Answer. I think so, sir.

Fourteenth question by same. Don't you know it, Mr. Sharp?

Answer. Judging from the returns, I think I could safely say there are a great many there.

Fifteenth question by same. Did any Republicans at that precinct vote for F. M. Parrish, or promise you so to do, on election day?

Answer. Yes, sir.

Sixteenth question by same. Name them?

Answer. Morton Ward and his two boys; but I am pretty sure they voted for Flanagan, though.

Seventeenth question by same. Can you name any other?

Answer. I don't know of any other.

Eighteenth question by same. Did you solicit the Republicans to vote for Mr. Parrish?

Answer. I asked the question how they stood as between Parrish and Flanagan. Morton Ward said he had always voted for Parrish and would again—he and his two boys

Nineteenth question by same. Do you mean to say that you asked no others than those named, and that you solicited no other Republicans?

Answer. I think it likely I solicited a great many Republicans.

Twentieth question by same. Don't you know that you did?

Answer. I think so.

Twenty-first question by same. I again ask you, don't you know that you did it; and I further ask you if you did not do it generally with the Republican voters that day?

Answer. Yes, I did. As to the second question, I did not solicit them generally on that day.

Twenty-second question by same. You swear that you went to the precinct to work in the interest of F. M. Parrish. State with whom you operated on that day?

Answer. No one. I found it was all one way, and I was like a poor boy at a corn shucking—had nothing to say.

Twenty-third question by same. What do you mean by its being all one way?

Answer. The Republicans said they were all going to vote for Flanagan, and the Republicans and Populists were all voting together.

Twenty-fourth question by same. In what respect and on what plan did you intend, on going to the precinct, to operate in the interest of F. M. Parrish?

Answer. To see that everything was conducted fairly and squarely, to the best of my knowledge.

Twenty-fifth question by same. Did you see any indication of unfairness beyond what you have reported? If so, state what it was.

Answer. I did not.

Twenty-sixth question by same. Am I correct in supposing that you went to the precinct in the interest of F. M. Parrish and for the purpose of observing proceed-

ings in order to see that he was fairly dealt with, and that after the day's observation and watchfulness on your part you say upon your oath that the only ground of complaint that appeared to you was what you have given?

Answer. Yes, sir.

Twenty-seventh question by same. Did you carry with you any money to that precinct?

[Note.—Objected to by contestant because an answer to this question might subject the witness to pains and penalties of law.]

[Note by the Commissioner.—On the entry of the foregoing objection, on the part of counsel for F. M. Parrish, and the suggestion being made that the question would convict the witness, the counsel for contestee withdraws the question.]

Re-examined.

First question by contestant. You state in an answer above to question by contestee that you do not know, of your actual personal knowledge, that any voter was deterred from voting for Mr. Parrish by the failure to observe secrecy in the manner of voting, still has it or has it not been possible, at previous elections at that place, to obtain many votes for the Democratic ticket when the voters were assured that their sentiments and manner of voting would not be revealed?

Answer. Yes, sir.

Second question by same. It is, then, from this experience, is it, and not from any conversation with voters since the election that you believe that more votes could have been obtained for Mr. Parrish than were obtained if the provisions of the Walton law had been strictly observed?

Answer. I think so.

Third question by same. You stated in answer to a question above that things seemed to be pretty generally one way that day at that precinct—did you judge of this by the open expressions of the opposition?

Answer. Yes.

Fourth question by same. Has it been the case in former elections at that precinct, when the people talked one way that the result turned out another?

Answer. Yes.

Fifth question by same. Do you or do you not think that this would be probable if the way in which they voted or for whom they voted would probably, in the opinion of the voters, be made public?

[Note.—Objected to by contestee upon the ground that it tends to elicit merely the supposition of the witness and not his knowledge of facts.]

Answer. I think it would.

Sixth question by same. Do you understand the question?

Answer. I don't know that I do fully. Read it over again and let me see.

The question being read again, the witness answered as follows:

Answer. I think it would.

Seventh question by same. I don't think you understood my former question. In other words, what I mean is this: Do you think that the voters of that precinct would as readily vote against their expressed opinions in a partisan political election if they thought that their change of sentiment and votes would probably be made known?

[Excepted to by contestee upon the ground that it is plainly suggestive of the answer desired, and tends to elicit the opinion of the witness and not the facts.]

Answer. I think not.

And further this deponent saith not.

W. M. SHARP.

And the further taking of these depositions is continued until Saturday morning at 11:30 o'clock, at the same place and between the hours of sunrise and sunset, on the motion and request of the contestant.

P. G. MILLER,
Commissioner in Chancery.

No witness or counsel appeared.

SATURDAY, November 23, 1895.

P. G. MILLER,
Commissioner in Chancery.

STATE OF VIRGINIA,

County of Goochland, to-wit:

I, P. G. Miller, a commissioner in chancery for the Circuit Court of the county aforesaid, in the State of Virginia, do certify that the foregoing depositions were duly taken, sworn to, and subscribed before me at the place and time in the caption mentioned.

Given under my hand this 23d day of November, 1895.

P. G. MILLER,
Commissioner in Chancery for Goochland Circuit Court.

SENATE DOC. No. III.

COMMUNICATION

FROM

Auditor of Public Accounts

TRANSMITTING

CERTAIN INFORMATION REGARDING INDEBTEDNESS
OF COUNTY AND CITY TREASURERS.

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,
RICHMOND, December 11th, 1895.

HON. R. C. KENT,
President of the Senate :

SIR :

A resolution of the Senate, adopted on the 4th instant, directs the Auditor of Public Accounts to furnish that body with a statement showing the indebtedness, if any, of each of the treasurers of the counties and cities of the Commonwealth on the 1st day of August, 1895: also what indebtedness, if any, existed from said treasurers to the Commonwealth, on the first day of December, 1895.

I have the honor to hand you herewith the statement called for by the resolution.

Very respectfully,

MORTON MARYE,
Auditor of Public Accounts.

A STATEMENT

Showing the Indebtedness, if any, of each of the Treasurers of the Counties and Cities of the Commonwealth on the 1st day of August, 1895, on the Revenues of 1894, and also what indebtedness, if any, existed from said Treasurers to the Commonwealth on the 1st day of December, 1895, prepared by the Auditor of Public Accounts in obedience to a Resolution of the Senate adopted December 4th, 1895 :

TREASURERS.	COUNTY OR CITY.	1895. Amount Due August 1st.	1895. Amount Due Dec. 1st.	REMARKS.
E. T. Powell.....	Accomack.....	\$ 444 67	\$ 444 67*	
R. Wingfield.....	Albemarle.....	2,563 50	2,563 50*	
W. C. Wilbert.....	Alexandria.....	2,840 50	2,840 50	\$2,159.65 paid Dec. 4th.
T. Fudge.....	Alleghany.....	3,656 84	3,181 78*	
George K. Taylor.....	Amelia.....	491 66	283 38*	
I. C. Joyner.....	Amherst.....	218 40	116 40*	
M. Matt. Robinson.....	Appomattox.....	2,521 45	1,521 45*	
N. McFarland.....	Augusta.....	9,328 93	942 38*	
W. Bonner.....	Bath.....	2,553 33	2,533 33	Paid in full Dec. 5th.
H. Price.....	Bedford.....	6,674 73	1,320 23*	
R. R. Stowers.....	Bland.....	1,643 70	1,613 70	\$967.44 paid Dec. 2nd.
B. Lewis.....	Brunswick.....	389 99		
S. Mooreman.....	Campbell.....	6,628 18		
T. Smith.....	Caroline.....	65 64	25 04	
L. Babcock.....	Charles City.....	1,190 23	988 13	Paid in full Dec. 11th.
F. Daniel.....	Charlotte.....	840 97	290 97	
P. Gilliam.....	Chesterfield.....	13,579 46	8,434 78	Paid Dec. 5th in full.
W. Jones.....	Clarke.....	1,632 43		
R. Smith.....	Culpeper.....	8,273 24	927 86	Paid in full Dec. 3rd.
G. Flippin.....	Cumberland.....	1,581 63	1,581 63*	
M. Calley.....	Dickenson.....	56 96	56 96	
Wm. M. Field.....	Dinwiddie.....	2,061 28	2,061 28	
Legar Whiting.....	Elizabeth City.....	1,115 75		
H. H. Street.....	Essex.....	580 06	580 06*	
Robert Wiley.....	Fairfax.....	5,600 56		
Hugh Hamilton.....	Fauquier.....	250 12	250 12	Paid in full Dec. 10th.
C. Barnard.....	Floyd.....	569 76	153 61	
Thomas E. Cowherd.....	Fluvanna.....	151 13		
C. Hall.....	Franklin.....	135 02		
tan. Fifer.....	Frederick.....	5,446 81	3,446 81	
W. J. Woods.....	Giles.....	2,951 76	1,774 11*	
W. K. Perrin.....	Gloucester.....	1,262 38		
N. Turner.....	Goochland.....	3,558 50	3,558 50*	
P. Meyers.....	Greene.....	85 14		
W. Wyche.....	Greeneville.....	927 98		
H. H. Brauer.....	Henrico.....	4,623 90	80 91	
L. Sanders.....	Henry.....	8,878 31	3,459 05	
A. Jones.....	Highland.....	2,172 53	1,421 13	Paid \$400.00 Dec. 4th.
M. Dawson.....	James City.....	728 15	228 15	Judgment.
F. Ninde.....	King George.....	474 18	12 28	
W. Porter.....	King and Queen.....	1,548 38		
S. Ryland.....	King William.....	5,367 41	5,180 40	Judgment.
M. Sanders.....	Lancaster.....	368 87		
A. G. Hayatt.....	Lee.....	1,722 28	1,722 28	Paid Dec. 2nd \$343.43.
E. Carruthers.....	Loudoun.....	8,940 29		
F. Richardson.....	Louisa.....	2,651 30	105 16	Paid Dec. 11th in full.
M. T. Gooch.....	Louisa.....	568 15	568 15	Judgment.
T. Bagley.....	Lunenburg.....	634 11	290 38	
W. J. Cave.....	Madison.....	277 82	277 82	
P. P. Smith.....	Madison.....	4,636 15	2,869 98*	
C. Thomas.....	Mathews.....	1,647 76	1,180 06*	Paid \$517.70 Dec. 5th.
George N. Wells.....	Mecklenburg.....	780 99	887 28	
W. H. Perkins.....	Middlesex.....	1,478 52	1,103 88*	

INDEBTEDNESS OF TREASURERS OF COUNTIES AND CITIES—*Continued.*

TREASURERS.	COUNTY OR CITY.	1885. Amount Due August 1st.	1885. Amount Due Dec. 1st.	REMARKS.
J. C. Haynes.....	Montgomery.....	5,480 42	5,384 88	Paid \$1,500 Dec. 6th and 7th.
H. E. Smith.....	Nansemond.....	2,724 85	2,724 85*	
J. R. Peebles.....	Nelson.....	3,173 18	3,173 18	
S. W. Lyons.....	Norfolk.....	4,384 70	.....
J. K. Reade.....	Northampton.....	8,281 48	.....
J. M. Boothe.....	Northumberland.....	391 82	385 97	
J. L. Powell.....	Notoway.....	1,278 22	1,279 22*	
C. W. Woolfolk.....	Orange.....	2,648 15	1,931 82	Paid \$1,700.25 Dec. 10th.
W. O. Yager.....	Page.....	3,235 09	.....
J. R. Whitehead.....	Pittsylvania.....	3,890 01	.....
S. W. Swann.....	Powhatan.....	815 86	815 86	
W. H. Ewing.....	Prince Edward.....	3,046 89	54	
H. L. Stone.....	Pulaski.....	10,645 08	7,683 77*	Paid \$3,000 Dec. 6th.
B. W. Wood.....	Rappahannock.....	1,985 19	1,001 46	Paid \$903.04 Dec. 11th.
Frank Garland.....	Richmond.....	640 92	640 92	
George A. Muse.....	Roanoke.....	579 25	.....
B. W. Reherd.....	Rockingham.....	802 53	.....
V. B. Gilmer.....	Russell.....	1,402 70	.....
George W. Koontz.....	Shenandoah.....	2,873 31	.....
A. G. Stone.....	Smyth.....	1,354 53	.....
J. J. Darden.....	Southampton.....	4,382 18	275 23	Paid in full Dec. 6th.
W. G. Dillard.....	Spottsylvania.....	319 97	.....
H. G. Chesley.....	Stafford.....	3,280 81	.....
A. P. Bohannon.....	Surry.....	294 05	.....
J. B. Jarratt.....	Sussex.....	583 06	.....
M. C. Richardson.....	Warren.....	3,656 74	1,316 65*	
S. M. Withers.....	Washington.....	4,800 47	.....
William Mayo.....	Westmoreland.....	3,238 01	2,838 12	Suit instituted. \$2,920.61 paid Dec. 2nd & 3rd.
E. W. Maxwell.....	Wise.....	7,910 87	5,873 16	
J. W. Repass.....	Wythe.....	1,156 48	454 04*	
		218,195 60	96,056 75	
M. B. Harlow.....	Alexandria City.....	1,244 77	.....*	\$3,600 paid Dec. 5th.
W. T. Jones.....	Charlottesville.....	3,793 51	3,793 51	
G. G. Temple.....	Danville.....	7,145 87	2,583 48*	
J. W. Bransford.....	Lynchburg.....	5,414 87	368 63*	
J. W. Bronaugh.....	Manchester.....	1,834 06*	
J. H. Hill.....	Neapolis.....	2,590 08	2,590 08*	
C. A. Slaughter.....	Petersburg.....	4,438 84	1,700 09*	
George A. Tabb.....	Portsmouth.....	5,899 90	3,613 42	Paid Dec. 9th \$54.13.
Ambrose Robinson.....	Radford.....	1,671 46	446 03*	
C. W. Thomas.....	Roanoke.....	11,659 51	1,710 43*	Settled Dec. 4th in full.
Arista Hoge.....	Staunton.....	2,300 07	1,021 20	
J. M. Dawson.....	Williamsburg.....	1,298 01	1,164 59	
C. M. Gibbens.....	Winchester.....	1,671 00	.....
		269,122 64	115 049 11	

*Insolvents and delinquents' lists not received, but estimated for on basis of those of 1883.

MORTON MARYE,
Auditor of Public Accounts.

Richmond, December 11th, 1895.

SENATE DOC. No. IV.

COMMUNICATION

FROM THE

GOVERNOR OF VIRGINIA

TRANSMITTING

LIST OF PARDONS, COMMUTATIONS, RESPITES, &c.,
AND REASONS THEREFOR.

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE, RICHMOND, VA., *January 1, 1896.*

To the General Assembly:

As [required by the Constitution of Virginia, I transmit herewith a list of pardons, commutations, respites, &c., granted by me during the two years beginning January 1, 1894, and ending January 1, 1896.

CHARLES T. O'FERRALL,
Governor.

Absolute Pardons.

J. N. Ashworth. Convicted in the Lunenburg county court, March, 1894, of malicious cutting, and sentenced to one year and six months in the penitentiary. Pardoned November 23rd, 1894. Pardon is earnestly recommended by the trial judge, commonwealth's attorney, the jury, and a large number of reputable citizens. The assault is believed to have been attributable more to the passion of the moment than to any actual malice. Ashworth was a man of good standing in his neighborhood and has conducted himself well in prison.

Calvin Anderson (colored). Convicted in the Henrico county court, January, 1895, of assault, and sentenced to six months in jail. Pardoned May 23rd, 1895. The judge, commonwealth's attorney, several magistrates, and many good citizens recommend the pardon of this man. He has served out nearly his entire term, and his family is suffering from poverty.

Joseph Alsop (colored). Convicted in the Spotsylvania county court, November, 1895, of unlawful assault, and sentenced to ninety days in jail. Pardoned November 11th, 1895. Since his conviction the house of the prisoner was burned and two of his children lost their lives. His wife is ill and unable to minister to the wants of his family. Pardon is granted on the ground of humanity. Clemency is recommended by the judge, commonwealth's attorney, sheriff and clerk of courts.

Joe Brown (colored). Convicted in the corporation court of Lynchburg, June, 1899, of murder in the second degree, and sentenced to sixteen years in the penitentiary. Granted February 14th, 1894. The prisoner has consumption which is rapidly progressing, and in view of his physical condition, clemency is recommended by the superintendent and surgeon of the penitentiary.

William Burroughs (colored). Convicted in the Bedford county court, May, 1892, of malicious cutting, and sentenced to six years in the penitentiary. Pardon granted March 1st, 1894. The punishment in this case was excessive. Clemency is recommended by the judge and commonwealth's attorney.

George B. Bradshaw (colored). Convicted in the corporation court of Fredericksburg, May, 1892, of horse-stealing, and sentenced to three years in the penitentiary. Pardon granted March 15th, 1894. Dr. Harrison surgeon of the penitentiary, recommends clemency on account of the convict's ill-health. He is suffering from partial paralysis.

Charles Bogan. Convicted in the hustings court of Richmond, in 1893, of grand larceny, and sentenced to one year in the penitentiary. Granted April 18th, 1894. There is strong doubt as to the guilt of this man. The evidence against him was very weak. His character, previous to the offence, was most excellent.

Turner Breeding. Convicted in the Pulaski county court, April, 1893, of house-breaking, and sentenced to three years imprisonment in the penitentiary. (Five years were added for second conviction). Granted April 28th, 1894. The prisoner, who has served nearly all of his term, has conducted himself well since his incarceration and appears to be truly reformed. His *particeps criminis* was acquitted on the same indictment. Pardon recommended by superintendent of penitentiary.

George Belcher. Convicted in the Wise county court, August, 1891, of house-breaking, and sentenced to five years in the penitentiary. Granted June 30th, 1894. The prisoner is in the last stages of consumption. According to the statement of Dr. Harrison, surgeon of the penitentiary, his end is near.

Joshua Brown (colored). Convicted in the Pulaski county court, May, 1894, of malicious shooting, and sentenced to one year in the penitentiary. Granted November 21st, 1894. The prisoner, whose conduct has been good, has been a great sufferer from a troublesome disease which unfits him for work. His pardon is recommended by the superintendent and by the commonwealth's attorney. There appears to have been some justification for the crime.

James P. Brent. Convicted in the hustings court of Staunton, October, 1893, of obtaining goods on a forged check, and sentenced to two years in the penitentiary. Granted December 20th, 1894. The prisoner has for years been a confirmed epileptic, and in the opinion of many physicians was irresponsible when he committed the offence. Clemency is recommended by the superintendent of the Western state hospital, commonwealth's attorney, and a large number of citizens of Augusta and Nelson counties.

Luke Ballentine (colored). Convicted in the corporation court of Norfolk, February, 1891, of malicious assault, and sentenced to three years in the penitentiary. (Five years added for second conviction). Granted December 27th, 1894. This man rescued an employee of Larus & Bro., whose plant is at the penitentiary, from an infuriated convict. Clemency is extended as a reward for this act.

Mary Barnes. Convicted in the police justice's court of Norfolk, October 25th, 1895, of petit larceny, and sentenced to ninety days in jail. Pardoned November 7th, 1895. The prisoner is about to give birth to a child. Clemency is recommended by the judge, police justice, and sergeant of Norfolk city.

William Cubine. Convicted in the Bland county court, 1892, of grand larceny, and sentenced to three years in the penitentiary. Granted February 9th, 1894. Since his sentence this man has become insane, and he is a source of great trouble to the prison officials. Clemency is recommended by the superintendent and surgeon of the penitentiary. Immediately upon his release he will be taken to an asylum.

L. C. Combs. Convicted in the Carroll county court, August, 1892, of house-breaking, and sentenced to two years in the penitentiary. Granted February 20th,

1894. This man is in rapidly failing health. His conduct in prison has been most exemplary, and pardon is recommended by the jurors, clerk of the court, other prominent citizens, and by the superintendent of the penitentiary.

James R. Conway. Convicted in the hustings court of Richmond, January, 1894, of misdemeanor, and sentenced to six months in jail. Granted March 2nd, 1894. The prisoner is quite a young man and has hitherto borne a good reputation. His pardon is recommended by the judge, a number of the jurors, the mayor of Richmond, and many prominent citizens. He was drunk when the offence occurred and did not seek the difficulty.

Alice Coleman. Convicted in the Rockbridge county court, January, 1894, of housebreaking, fined five dollars and sentenced to three months in jail. Pardon granted March 22nd, 1894. The prisoner will shortly give birth to a child, and it is deemed imprudent to keep her in jail. She has served nearly all of her term.

David Cannady (colored). Convicted in the Franklin county court, October, 1891, of attempted rape, and sentenced to nine years in the penitentiary. Granted April 11th, 1894. This prisoner was convicted of raping a negro girl. The evidence was very weak. He has served two and a half years of his sentence. The judge, commonwealth's attorney, clerk, sheriff, and others recommend his pardon. His conduct in prison has been good.

Della Clark. Convicted in the hustings court of Richmond, December, 1894, of petit larceny, and sentenced to confinement in jail. Granted April 13th, 1895. The prisoner is *enceinte*, and it is deemed that imprisonment will be injurious to her. Her conduct has been good.

Cornelius Collins (colored). Convicted in the hustings court of Portsmouth, February, 1884, of murder in the second degree, and sentenced to fifteen years in the penitentiary. Granted April 18th, 1894. This prisoner, when about twenty years of age, while drunk in a Christmas frolic began playing with a pistol in the possession of another, and in the scuffle the weapon was discharged and a third person of the party was killed. Grave doubts were entertained at the time as to the correctness of the verdict, and now his pardon is asked for by the judge, commonwealth's attorney, city attorney, clerk of the court, eight of the jurors, and many citizens. He has served ten years. His conduct has been good.

C. C. Collins. Convicted in the Wythe county court, October, 1893, of perjury, and sentenced to two years in the penitentiary. Granted April 18th, 1894. This man appears weak-minded and does not seem to have realized the solemnity of an oath or the gravity of swearing falsely. Clemency is recommended by many prominent citizens.

Burton Coleman (colored). Convicted in the Louisa county court, April, 1887, of rape, and sentenced to ten years in the penitentiary. Granted April 24th, 1894. This prisoner was convicted of raping a negro girl. There have always been doubts as to his guilt. The woman alleged to have been outraged asks for his pardon. He has served several years of his term. His conduct has been good. Pardon is recommended by the superintendent of the penitentiary.

Peter Cary (colored.) Convicted in the hustings court of Richmond, December, 1890, of housebreaking, and sentenced to five years in the penitentiary. Granted June 7th, 1894. The prisoner is a hopeless invalid, suffering from heart-disease, and his pardon is recommended by the penitentiary surgeon.

John Curry. Convicted in the corporation court of Fredericksburg, June, 1894, of assaulting a policeman, and sentenced to six months in jail. Granted November 1st, 1894. The offense was one of "obstructiveness rather than offensiveness," and the victim of the assault was not seriously hurt. The prisoner, who is a one-legged man, has served more than half of his term. Pardon is recommended by the judge, commonwealth's attorney, and jury.

William Close. Convicted in the corporation court of Norfolk, January, 1895, of larceny, and sentenced to sixty days in jail and required to pay costs. Granted March 8th, 1895. This man is in the last stage of consumption. It is believed that if kept in prison he can live only a few days.

Alfred Crowder (colored). Convicted in the Dinwiddie county court, February, 1891, of attempt to kill, and sentenced to five years in the penitentiary. Granted April 9th, 1895. The prisoner's eyesight is very bad, and further confinement will render him entirely blind. His conduct has been good, and he has served nearly all of his term. Pardon is recommended by reliable citizens.

Simon Carrington (colored). Convicted in the corporation court of Lynchburg, February, 1895, of housebreaking, and sentenced to six months in jail. Granted May 25th, 1895. Clemency is recommended by the judge, commonwealth's attorney, and jail physician. The prisoner is quite young.

Fleming Cary. Convicted in the Fluvanna county court, February, 1895, of unlawful cutting, and sentenced to four months in jail. Granted June 18th, 1895. The punishment of the prisoner is regarded as excessive. His conduct in jail has been excellent. Clemency is recommended by the judge and commonwealth's attorney.

Allen Cook. Convicted in the Buchanan county court, February, 1895, of malicious burning, and sentenced to three years in the penitentiary. Granted July 1st, 1895. The prisoner was convicted upon the testimony of witnesses who have since been shown to be unworthy of credit. The commonwealth's attorney believes the convict is innocent, and the judge recommends his pardon. The prisoner's conduct has been good.

Eddie Cook. Convicted in the corporation court of Fredericksburg, May, 1895, of breaking into a store-house, and sentenced to six months in jail. Granted July 19th, 1895. Cook is quite young, and previous to the offence bore a good character. Clemency is recommended by the judge and commonwealth's attorney.

Aaron Dodson. Convicted in the Amelia county court, January, 1895, of petit larceny, and sentenced to four months in jail. Granted April 26th, 1895. This man recently disclosed a plot of several prisoners to escape from the jail, and in view of this and his good conduct, clemency is extended to him.

Charles V. Decker. Convicted in the corporation court of Petersburg, October, 1893, of bigamy, and sentenced to eight years in the penitentiary. Granted July 30th, 1895. The prisoner has consumption and is rapidly declining. Pardon is recommended by many prominent citizens.

Cass Ellis (colored). Convicted in the Louisa county court, 1893, of murder in the second degree, and sentenced to seven years in the penitentiary. Granted February 1st, 1894. This man has galloping consumption, and will soon die if kept in confinement. Pardon is recommended by the surgeon of the penitentiary.

Joseph Evans (colored). Convicted in the hustings court of Richmond, October, 1887, of malicious assault, and sentenced to eight years in the penitentiary. Granted December 27th, 1894. This man rescued an employee of Larus & Bro., (whose plant is at the penitentiary) from an infuriated convict. He has only one day more to serve.

Thomas Edwards alias Thomas Jackson. Convicted in the corporation court of Fredericksburg, July, 1888, of murder in the second degree, and sentenced to fourteen years in the penitentiary. Granted March 16th, 1895. There are grave doubts as to the guilt of the prisoner, and in the trial no malice was proved. He has served seven years. Clemency is recommended by the judge, commonwealth's attorney, and six jurors. His conduct in prison has been good.

James A. Edwards. Convicted in the corporation court of Norfolk, April, 1895, of involuntary manslaughter, and sentenced to six months in jail. Granted June 18th, 1895. The blow by which the prisoner killed James Sawyer, was struck under great provocation if not in self-defence. The small stick used by Edwards would not, under ordinary circumstances, have been sufficient to inflict serious injury, and no intention to do so is anywhere manifested. Several hundred good citizens ask clemency,

Charles W. Etheridge. Convicted in the corporation court of Norfolk, November, 1893, of forgery, and sentenced to two years in the penitentiary. Granted July 5th, 1895. The prisoner, whose conduct has been good, has nearly served out his term. His mother is about to die, and under all the circumstances I think justice may be tempered with humanity. His pardon is well recommended.

Albert Firth. Convicted in the York county court, July, 1892, of attempted rape, and sentenced to seven years in the penitentiary. Granted May 15th, 1894. There are grave doubts as to the guilt of the prisoner. The evidence was conflicting, and the conduct of the prosecutrix after the assault was not such as to impress one with the truthfulness of her charge. Many good citizens ask clemency.

Ed. Forrest. Convicted in the Pulaski county court, July, 1892, of housebreaking, and sentenced to two years in the penitentiary. Granted April 9th, 1894. Pardon is granted on account of the youth and good conduct of the prisoner. Clemency is recommended by the judge, commonwealth's attorney, and superintendent of the penitentiary.

W. H. Forbes. Convicted in the Rockbridge county court, April, 1893, of burglary, and sentenced to five years in the penitentiary. Granted December 20th, 1894. The evidence in this case was very conflicting. There were two trials. At

the first the jury failed to agree, and at the second the prisoner was convicted. His conduct has been good. He is in bad health and has been a great sufferer. Pardon is recommended by the trial judge and eleven jurors.

Robert Franklin (colored). Convicted in the corporation court of Roanoke, April, 1889, of rape, and sentenced to ten years in the penitentiary. Granted July 7th, 1894. The judge, commonwealth's attorney, and jury ask pardon. The woman who was the victim of the assault was a negress, and even during the trial there was no pretence of physical injury inflicted. She bore a bad character. Franklin's conduct in prison has been good.

Lee J. Farish. Convicted in the Albemarle county court, April, 1895, of unlawful cutting, and sentenced to twelve months in jail. Granted July 15th, 1895. The pardon of this man is earnestly recommended by the commonwealth's attorney. The prisoner, prior to conviction, had borne a good reputation. His behaviour in prison has been excellent. Clemency is asked by the injured party, and a large number of reputable citizens have signed his petition.

Russell Gilmore. Convicted in the corporation court of Roanoke, January, 1894, of entering a store and taking therefrom certain firearms; sentenced to thirty days in jail. Granted February 16th, 1894. The prisoner is not quite fourteen years of age, and was led off by older boys. Immediately after the crime he returned the property, and aided in the recovery of that in possession of other parties.

W. T. Grant. Convicted in the Carroll county court, January, 1889, of horse-stealing, and sentenced to eight years in the penitentiary. Granted February 20th, 1894. There is doubt as to the prisoner's guilt of the crime charged. Clemency is recommended by the judge, commonwealth's attorney, clerk, and many citizens. His conduct in the penitentiary has been good.

Richard Gooding. Convicted in the Fauquier county court, August 18th, 1889, of rape, and sentenced to twelve years in the penitentiary. Pardoned November 13th, 1894. It appears that this man was the victim of a conspiracy. He has served more than five years. His conduct in prison has been good. Clemency is recommended by the judge, jury, and many citizens.

William Grant. Convicted in the corporation court of Danville, June, 1892, of housebreaking, and sentenced to five years in the penitentiary. Granted June 27th, 1895. The prisoner was only eighteen years of age when convicted. His prison record has been good. The witnesses who testified against him were of doubtful credit. Pardon is recommended by the judge, a large number of jurors, and many citizens of Danville.

C. P. Grizzard. Convicted in the Southampton county court, June, 1894, of murder in the second degree, and sentenced to ten years in the penitentiary. Pardoned November 19th, 1894. The provocation in this case was very great, and in my opinion the act was committed when the prisoner had every reason to fear serious bodily harm. He had borne a good character. In the opinion of a large number of citizens of Southampton, the punishment fixed by the jury was very excessive. They recommend his pardon, and the judge, commonwealth's attorney, sheriff, clerk, and committing justice, do likewise.

D. R. Handy. Convicted in the Patrick county court, June 27th, 1893, of horse-stealing, and sentenced to eight years in the penitentiary. Granted February 14th, 1894. Handy's spinal column is diseased and he is unable to work. Pardon is recommended by the superintendent of the penitentiary.

Walter Harrison. Convicted in the Greensville county court, 1894, of shooting at a citizen, and sentenced to six months in jail. Granted May 8th, 1894. The prisoner has served all but two months of his term. During the recent fire at Emporia, Harrison was released temporarily by the sheriff in order that he might assist in fighting the flames. He rendered valuable assistance, and when his work was over he returned voluntarily to his cell. Many good citizens ask clemency.

Robert Harvey (colored). Convicted in the hustings court of Richmond, December, 1891, of malicious assault, and sentenced to five years in the penitentiary. Granted June 15th, 1894. This man has lost the sight of one of his eyes since his confinement, and the disease threatens the loss of the other. His conduct before the commission of the offence was good, and his prison record is excellent. The superintendent and surgeon of the penitentiary and many prominent citizens of Rockbridge county recommend clemency.

J. T. Hickman. Convicted in the corporation court of Norfolk, March, 1894, of malicious cutting, and sentenced to one year in the penitentiary. Granted September 25th, 1894. The punishment in this case was too severe. The convict was a Confederate soldier, and his behaviour in prison has been good. His family is needy. Clemency is recommended by the commonwealth's attorney.

Richard Harris (colored). Convicted in the corporation court of Norfolk, October, 1893, of malicious assault, and sentenced to two years in the penitentiary. Granted December 20th, 1894. This man is hopelessly ill with heart-disease. Pardon is recommended by the physician of the penitentiary.

Jesse J. Hay. Convicted in the hustings court of Richmond, July 23d, 1895, of shooting in the public street, and sentenced to sixty days in jail. Granted August 24th, 1895. This man had borne a good character. He was sentenced for shooting at a man who had grossly insulted his wife. The acting commonwealth's attorney recommends clemency.

Richard T. Isaacs. Convicted in the hustings court of Richmond, January, 1894, of assault, and sentenced to five months in jail. Granted March 17th, 1894. This pardon is asked for by a number of prominent citizens. The prisoner is young, and had always previously to the offence borne a good character. He appears to have violated the law while under the influence of liquor.

Junius Johnson (colored). Convicted in the Isle of Wight county court, January, 1893, of housebreaking, and sentenced to two years in the penitentiary. Granted January 22d, 1894. It appears that the building alleged to have been broken into was a chicken-house; that the only evidence against the prisoner was the possession of some of the chickens stolen; that two other negroes were connected with the housebreaking, and it is believed that they induced Johnson, who is a weak-minded boy, to commit the offence. Clemency is recommended by the judge and commonwealth's attorney. Johnson's conduct in prison has been good.

Thomas Johnson (colored). Convicted in the Essex county court, February, 1892, of housebreaking, and sentenced to two years in the penitentiary. Granted March 16th, 1894. This man has served out the term for which he was convicted and sentenced in Essex county, and is held under sentence imposed by the circuit court of Richmond for second conviction. It appears that the trial court at Essex took notice of the charge in the indictment of the former conviction, and declined to render judgment on so much of the verdict of the jury as related to said charge. This fact was not known by the judge of the circuit court of Richmond at the time he was tried and sentenced for the additional time. Pardon is recommended by the county judge of Essex, the commonwealth's attorney of said county, and the judge of the circuit court of Richmond.

Archie Jones (colored). Convicted in the corporation court of Lynchburg, January, 1894, of grand larceny, and sentenced to one year in the penitentiary. Granted April 23d, 1894. This youth's pardon is recommended by Dr. Harrison, surgeon of the penitentiary. The prisoner is in the last stages of consumption; and his end is near.

John Johnson. Convicted in the Prince George county court, May, 1893, of housebreaking and escaping from jail, and sentenced to twelve months in jail (for housebreaking) and fined five dollars; also sentenced to six months in jail for escaping. Granted May 23d, 1893. The prisoner is only fifteen years of age. He has been confined in jail for more than a year. His health is very bad, and the jail physician certifies that further confinement will probably result fatally.

Charles Johnson (colored). Convicted in the Augusta county court, December, 1892, of murder in the second degree, and sentenced to ten years in the penitentiary. Granted June 7th, 1894. The prisoner was a mere boy when the crime was committed. He was coming home from church one night with a party of women, when James F. Lotts, his victim, and a companion, halted the party and abused them. The aggressors were under the influence of liquor, and had only a few minutes before maltreated an inoffensive negro. A fight ensued, and during the melee Lotts was shot. Johnson was recognized as one of the men who did the shooting. There are many extenuating circumstances in the case, and the convict was certainly subjected to great aggravation. His sentence was very severe, and his pardon is recommended by nearly a hundred good citizens.

Josephine Johnson (colored). Convicted in the Buckingham county court, February, 1893, of forgery, and sentenced to two years in the penitentiary. Granted July 14th, 1894. The pardon of this woman is recommended by the surgeon of the penitentiary. She is rapidly declining with consumption.

Dudley Jenkins. Convicted in the Warren county court, December, 1890, of murder in the second degree, and sentenced to six years and five months in the penitentiary. Granted August 11th, 1894. This man's punishment was very severe. He has served two years of his sentence, and has been a model prisoner. Pardon is asked for by the judge, commonwealth's attorney, and jury.

John Johnson. Convicted in the Henrico county court, April 19th, 1892, of unlawful shooting, and sentenced to four years in the penitentiary. Granted December 3d, 1894. The convict is a boy. The provocation under which he fired the

shot was great. The punishment inflicted was excessive. His conduct in prison has been good. The judge and commonwealth's attorney recommend pardon.

James Jones. Convicted in the Alleghany county court, June, 1890, of malicious shooting, and sentenced to six years in the penitentiary. Granted January 22d, 1895. The prisoner is in the last stages of consumption. His term will expire in a few months. The commonwealth's attorney and superintendent of the penitentiary recommend pardon.

Charles Kindrick. Convicted in the Warwick county court, April, 1893, of car-breaking, and sentenced to two years in the penitentiary. Granted May 23d, 1894. The evidence in this case appears to have been weak and unreliable. Kindrick's conviction was obtained principally upon the testimony of a self-confessed accomplice. He is young, and his conduct in prison has been good. The judge, commonwealth's attorney, and jury, recommend clemency.

Henry Lee (colored). Convicted in the Stafford county court, 1885, of horse-stealing, and sentenced to eighteen years in the penitentiary. Granted February 1st, 1894. This man has heart-disease and dropsy. There is only the slightest possibility of his improvement.

Herbert A. Minatree. Convicted in the hustings court of Richmond, January 11th, 1894, of assault, and sentenced to three months in jail. Granted February 14th, 1894. The judge and several prominent citizens recommend clemency. The prisoner is only twenty-one years of age. He has hitherto conducted himself well. The difficulty appears to have been the result of a Christmas spree.

Frank Martin. Convicted in the Wise county court, February, 1893, of robbery and sentenced to six years in the penitentiary. Granted March 15th, 1894. The prisoner is suffering from heart-disease. The superintendent and surgeon of the penitentiary recommend clemency. His prison record has been good.

John Miles (colored). Convicted in the Henrico county court, June, 1879, of burglary, and sentenced to twenty-five years in the penitentiary. Granted August 23rd, 1894. The prisoner has served a large part of his sentence. He is seventy-two years of age, in broken health, nearly blind, and unable to do any work. Humanity seems to justify his pardon. Miles was first convicted in 1861, and has since served three terms in the penitentiary.

Belle McGuire. Convicted in the Montgomery county court, 1894, of keeping house of ill-fame, and sentenced to six months in jail. Granted September 4th, 1894. This woman is the mother of several very young children, who, since her conviction, have been sent to the almshouse. As she has served three months of her term, she is represented as penitent. Her pardon is recommended by the judge, commonwealth's attorney, and others. Pardon is granted upon condition that she will not again be guilty of the crime for which she was convicted.

A. L. Mays. Convicted in the Campbell county court, February, 1895, of felonious assault, and sentenced to six months in jail and fined \$100. Granted June 7th, 1895. The pardon of this man, who has served about two-thirds of his term, is recommended by the judge and commonwealth's attorney. His friends agreed to pay the fine and have done so. His health is not good.

Jesse Morton. Convicted in the Botetourt county court, October, 1893, of horse-stealing, and sentenced to five years in the penitentiary. Granted August 24th, 1895, on account of his youth. Clemency was recommended by the commonwealth's attorney and many citizens.

D. H. Mitchell. Convicted in the hustings court of Roanoke, December, 1892, of voluntary manslaughter, and sentenced to five years in the penitentiary. Granted July 26th, 1895. This man's punishment appears to have been excessive. The judge, commonwealth's attorney, mayor of Roanoke, and many prominent citizens, recommend clemency.

David Oppenheim. Convicted in the corporation court of Charlottesville, January, 1890, of unlawful shooting, and sentenced to one year in the penitentiary. (Five years added for second conviction.) Granted July 7th, 1894. This man's pardon is recommended by the trial judge and superintendent of the penitentiary. He has been a most exemplary prisoner. He rescued a guard who had been attacked by another convict.

Logan Osborne. Convicted in the Wise county court, October, 1892, of murder in the second degree, and sentenced to eighteen years in the penitentiary. Granted August 6th, 1894. The prisoner is in declining health. The evidence upon which he was convicted was very weak, and there is doubt as to his guilt.

Malinda Pate (colored). Convicted in the Halifax county court, May, 1882, of murder in the second degree, and sentenced to sixteen years in the penitentiary. Granted September 27th, 1894. This woman was convicted under great excitement, and in the opinion of many people who live in the neighborhood where the homicide occurred, the circumstances were very much exaggerated. The testimony was unreliable, and the verdict of the jury was too severe. She has served twelve years and four months of her term. Her conduct has been good. She is getting old.

William Pace. Convicted in the Lee county court, February, 1893, of grand larceny, and sentenced to four years in the penitentiary. Granted October 13th, 1894. This man is in the last stages of consumption, and cannot live long. Pardon is recommended by the surgeon of the penitentiary.

Peter Payne (colored). Convicted in the Pittsylvania county court, June, 1892, of housebreaking (two indictments), and sentenced to four years in the penitentiary. Granted May 1st, 1895. The prisoner is afflicted with epilepsy, and is liable to die at any time. His pardon is recommended by Major Lynn, superintendent of the penitentiary, and Judge Brown, of Bedford county, where the convict has been engaged in working the public roads.

Tom Rowe (colored). Convicted in the hustings court of Richmond, February, 1886, of burglary, and sentenced to five years in the penitentiary. (Five years added for second conviction.) Granted February 14th, 1894. Rowe is a sufferer from heart-disease. Clemency is recommended by the superintendent and surgeon of the penitentiary.

William Scott. Convicted in the Russell county court, June, 1893, of bigamy, and sentenced to three years in the penitentiary. Granted January 22nd, 1894.

It appears that the prisoner married a second time under the belief that his first wife was dead. He is old, in feeble health, and was prosecuted by the divorced husband of the woman whom he married a second time. His conduct in prison has been good, and his pardon is recommended by many prominent citizens of Russell county.

George Sligle (colored). Convicted in the Wythe county court, August, 1888, of murder in the second degree, and sentenced to eighteen years in the penitentiary. Granted April 11th, 1894. This man is completely broken down in health. Clemency is recommended by the superintendent and surgeon of the penitentiary, and by the commonwealth's attorney and many prominent citizens of Wythe county.

William Smith (colored). Convicted in the Henry county court, December, 1888, of attempted rape, and sentenced to ten years in the penitentiary. Granted May 23rd, 1894. The prisoner is a consumptive, with little or no hope for recovery. Pardon is recommended by the surgeon of the penitentiary.

Ed. Shaver (colored). Convicted in Roanoke county court, October, 1893, of assault and battery, and sentenced to jail for twelve months and fined \$50. Granted June 6th, 1894. This man has been an excellent prisoner, and has several times assisted the officers by disclosing plots among his fellow-prisoners. Pardon is recommended by the commonwealth's attorney, members of the jury who tried him, and by many prominent citizens of his county. His punishment was perhaps too severe.

Robert Stith. Convicted in the corporation court of Norfolk, 1894, of petit larceny, and sentenced to six months in jail. Granted November 27th, 1894. The prisoner's health is very bad, and he is failing rapidly. Pardon is recommended by the trial judge, who says in his letter: "I think this is a case in which common humanity calls for the exercise of executive clemency."

Edmond Slade (colored). Convicted in the corporation court of Danville, December, 1893, of grand larceny, and sentenced to five years in the penitentiary. Granted January 30th, 1895. It appears from after-discovered testimony, that this man was only guilty of petit larceny. His petition is signed by the judge, commonwealth's attorney, jury, and many prominent citizens of Danville.

Len Sexton. Convicted in the Grayson county court, June, 1894, of attempted murder, and sentenced to jail for twelve months. Granted March 21st, 1895. This man is pardoned upon the ground of broken health and the certificate of the jail physician, that in his opinion longer confinement would make the prisoner a physical wreck. The judge and jury recommend clemency.

George W. Sprouse. Convicted in the Augusta county court, October, 1892, of attempted rape, and sentenced to three years in the penitentiary. Granted March 27th, 1895. A certificate from the penitentiary surgeon states that this man is in the last stages of consumption. His term has nearly expired.

Phoebe Scott (colored). Convicted in the corporation court of Buena Vista, June, 1894, of malicious burning, and sentenced to three years in the penitentiary. Granted June 18th, 1895. In my opinion the sentence in this case ought not to

have been imposed. The testimony was very weak and insufficient to warrant a jury in convicting. Clemency is recommended by the commonwealth's attorney and clerk of courts.

James Tyler (colored). Convicted in the Hanover county court, July, 1892, of burglary, and sentenced to two years in the penitentiary. Granted February 6th, 1894. His conduct in prison has been good, and he is mentally unbalanced. Deducting time for good behaviour, his term will expire in April. Pardon is recommended by the superintendent of the penitentiary and the surgeon upon the above grounds, and on account of the crowded condition of the prison.

Thomas Thompson (colored). Convicted in the hustings court of Richmond, March, 1892, of housebreaking, and sentenced to three years in the penitentiary. Granted May 19th, 1894. The prisoner is in the last stages of a loathsome disease, and his condition is critical and hopeless. His pardon is recommended by the superintendent and surgeon of the penitentiary. His term will expire November 22d, 1894.

James Turner (colored). Convicted in the Roanoke county court, March, 1888, of housebreaking, and sentenced to six years (five years added for second conviction) in the penitentiary. Granted July 5th, 1894. The prisoner has heart trouble, and is in the last stages of consumption. He cannot live long.

Clark Thomas. Convicted in the Halifax county court, 1894, of assault, and sentenced to six months in jail. Granted December 20th, 1894. The pardon of this man, who has served two-thirds of his term, is recommended by four reputable citizens, including the county judge. At the time of the recent jail delivery in Halifax, December 15th, 1894, he was in the prison but refused to escape, and gave the alarm to the officers of the law as soon as he could possibly do so.

James M. Thompson. Convicted in the Campbell county court, August, 1894, of malicious cutting, and sentenced to one year in the penitentiary. Granted December 20th, 1894. Pardon is recommended by the judge who tried the case, the present judge of the county, the sheriff, clerk, and many reputable citizens. The verdict appears to have been too severe. The prisoner had hitherto borne a good character.

William Turner alias William Dudley. Convicted in the Floyd county court, February, 1894, of buggery, and sentenced to two years in the penitentiary. Granted January 30th, 1895. It appears that this boy is hardly *compos mentis*. He is in very bad health, and suffers from heart trouble. The petition is signed by the judge, commonwealth's attorney, jurors, and many prominent citizens.

Walter Tomkins. Convicted in the Louisa county court, December, 1894, of unlawful assault, and sentenced to five months in jail. Granted March 30th, 1895. The health of the prisoner is bad, and further confinement will likely result seriously. Pardon is recommended by the judge, commonwealth's attorney, and jurors.

Sarah Williams. Convicted in the hustings court of Richmond, October, 1893, of resisting a policeman, and sentenced to six months in jail. Pardoned July 18th,

1894. This woman has been adjudged insane by a commission of lunacy, and clemency is extended in order that she may be transferred to an asylum.

F. C. Ward. Convicted in the corporation court of Norfolk, September, 1893, of stealing from the person, and sentenced to one year in the penitentiary. Pardoned January 26th, 1894. The testimony against this man was weak, unreliable and conflicting. Pardon is recommended by the trial judge, mayor of Norfolk, and many prominent citizens.

Thomas Willett. Convicted in the Accomac county court, November, 1890, of malicious cutting, and sentenced to eight years in the penitentiary. Granted February 16th, 1894. Clemency is recommended by the superintendent and surgeon of the penitentiary, on account of the prisoner's bad health, as there is a general breaking down of his system.

John Williams. Convicted in the Loudoun county court, February, 1894, of larceny, and sentenced to two years in the penitentiary. Granted March 19th, 1894. This man is innocent, as clearly shown by after discovered evidence, fully corroborating his own testimony at the trial. His pardon is recommended by the judge and commonwealth's attorney.

Curtis White (colored). Convicted in the Roanoke county court, September 25th, 1891, of forgery, and sentenced to four years in the penitentiary. Granted April 16th, 1894. The prisoner, who has served three years of his term, is rapidly declining in health. He is suffering from consumption, and according to the statement of the surgeon of the penitentiary he cannot live long.

Della Williams. Convicted in the corporation court of Danville, March, 1894, of keeping house of ill-fame, and sentenced to thirty days in jail and fined \$50 and costs. Pardoned August 25th, 1894. This woman has paid the fine and costs. She is suffering from heart trouble and other diseases, and physicians certify that confinement in jail will endanger her life. Clemency is recommended by the judge and commonwealth's attorney.

Robert Walling. Convicted in the Loudoun county court, June, 1891, of horse-stealing, and sentenced to five years in the penitentiary. Pardon granted January 30th, 1895. The pardon of this man is recommended by the commonwealth's attorney, superintendent and surgeon of the penitentiary and many prominent citizens of Loudoun county, as well as by the man whose horse was stolen. The prisoner is in wretched health.

Nannie Woods (colored). Convicted in the Franklin' county court, December, 1889, of arson, and sentenced to be hung. Sentence commuted to life imprisonment. Pardon granted January 30th, 1895. This woman is pardoned because she was innocent of the charge. Pardon recommended by the judge, clerk, mayor and many prominent citizens.

Meatia Wake (colored). Convicted in the Middlesex county court, September, 1892, of housebreaking (two indictments), and sentenced to four years in the penitentiary. Pardoned April 29th, 1895. This woman is far gone with consumption. She has served more than three-fourths of her term. Clemency is recommended by the surgeon of the penitentiary and many prominent citizens.

Andrew Wallace. Convicted in the corporation court of Norfolk, November, 1894, of assaulting a policeman, and sentenced to nine months in jail and fined \$25. Pardon granted May 23d, 1895. Since his confinement in jail Wallace has acted as one of the turnkeys and has always conducted himself in the most orderly and exemplary manner. On the 10th of May he informed the jailor that several of the prisoners were plotting to escape. His prompt report prevented the flight of at least one desperate man. He has only three months more to serve.

William Watson (colored). Convicted in the Orange county court, March, 1893, of attempted rape, and sentenced to fifteen years in the penitentiary. Granted September 20th, 1895. The convict is quite young. Since his trial there have been reasons to doubt his guilt, owing to the dissolute conduct of the girl alleged to have been assaulted. Clemency is recommended by a number of prominent citizens of Orange.

George Walker (colored). Convicted in the Albemarle county court, September, 1887, of rape, and sentenced to ten years in the penitentiary. Pardoned November 14th, 1895. Dr. Benj. Harrison, surgeon of the penitentiary, recommends the pardon of this man, who is in the last stages of consumption. He has served nearly all of his term, and has behaved well in prison.

Conditional Pardons.

John Anderson. Convicted in the Tazewell county court September, 1895, of assaulting and beating, and sentenced to one day in jail and fined \$200. Pardon granted October 2nd, 1895, upon condition that fine and costs be paid. Clemency is recommended by the judge, commonwealth's attorney, many prominent citizens, and by the man assaulted.

Richard Brown (colored). Convicted in the hustings court of Richmond January, 1895, of highway robbery, and sentenced to twelve months in jail. Pardoned (conditionally) April 25th, 1895. Clemency is recommended by the judge, commonwealth's attorney, the complainant, and other reputable citizens. The prisoner appears to have been sufficiently punished.

W. S. Barr. Convicted in the hustings court of Roanoke, April, 1895, of misdemeanor, and fined \$30 and sentenced to sixty days in jail. Pardon granted June 3rd, 1895, upon condition that he will at once leave the State. His wife, who resides in another State, is in a delicate condition, and motives of humanity prompt clemency.

Moses Baldwin. Convicted in the Tazewell county court, September, 1895, of assaulting and beating, and sentenced to one day in jail and fined \$200. Pardoned October 2nd, 1895, upon condition that fine and costs be paid. Clemency is recommended by the judge, commonwealth's attorney, many prominent citizens, and the man assaulted.

D. O. Baldwin. Convicted in the Tazewell county court, September, 1895, of assaulting and beating, and sentenced to one day in jail and fined \$200. Pardoned October 2nd, 1895, upon condition that fine and costs be paid. Clemency is recommended by the judge, commonwealth's attorney, many prominent citizens, and the man assaulted.

John Creesy. Convicted in the Pittsylvania county court, January, 1895, of housebreaking, and sentenced to two years in the penitentiary. Granted May 23rd, 1895, upon condition that he shall be immediately taken in charge by the Prison Association of Virginia. This boy is only fifteen years old, and his transfer to the Reformatory may improve his morals.

John Custard. Convicted in the Pittsylvania county court, January, 1895, of housebreaking, and sentenced to two years in the penitentiary. Granted May

23rd, 1895, upon condition that he shall be immediately taken in charge by the Prison Association of Virginia. The prisoner is only sixteen years of age, and, according to information received, grew up neglected and uncared for. It is hoped that the transfer to the Reformatory may work a change for the better in his moral condition.

Oscar Chappell (colored). Convicted in the corporation court of Lynchburg, July, 1895, of housebreaking, and sentenced to seventy-five days in jail. Pardon granted August 12th, 1895, upon condition that his mother will remove him at once from the State and that he will not return for the next five years. The prisoner is quite young (about thirteen years of age), and was led to commit the offence by other persons during the absence of his mother.

Louis Crowder (colored). Convicted in the Mecklenburg county court, April, 1895, of malicious assault, and sentenced to one year in the penitentiary. Com-muted December 23rd, 1895, until December 24th, 1895, upon conditions that he will not hereafter violate the penal laws. This man has been employed on the Capitol grounds for some months. He has been most respectful and faithful. His term has nearly expired.

Hamilton Duncan. Convicted in the Chesterfield county court, November, 1891, of obstructing a railroad, and sentenced to five years in the penitentiary. Granted October 6th, 1894. This prisoner was only fourteen years of age when the offence, of which he was convicted, was committed. He was from a distant State without friends here. His pardon is recommended by the judge and commonwealth's attorney, upon condition that he will leave the State and not return, and by the jurors. Granted upon the condition named.

Junius Dunn. Convicted in the Smyth county court, 1892, of breaking into an outhouse and stealing \$30 worth of meat, and sentenced to six years in the penitentiary. Granted conditionally January 2nd, 1895. While in prison, this man gave information of the murderous intent of one of his fellow convicts, which probably saved the life of a guard. Clemency is recommended by the commonwealth's attorney and jury, as well as the superintendent of the penitentiary. The prisoner is pardoned on the condition that he will henceforth conduct himself as a law-abiding citizen.

Walter Davis. Convicted in the hustings court of Roanoke, January and April, 1894, of misdemeanor and felony, and sentenced (for both offences) to seventeen months in jail and fined \$100. Pardoned May 20th, 1895, on condition that he hereafter conduct himself as a law-abiding citizen. The prisoner, who participated in the Roanoke riots, is quite young, and the punishment given him is considered very heavy. He has already served a large part of his term. Clemency is recommended by the commonwealth's attorney, town sergeant, and others.

John Demajo. Convicted in the corporation court of Norfolk, June, 1895, of failing to assist an officer in making an arrest, and fined \$50 and sentenced to sixty days in jail. Pardon granted July 3rd, 1895, on condition that he will pay fine and costs. The punishment in this case appears excessive. The prisoner is poor and his incarceration will subject his family to great hardships. The judge and other prominent citizens recommend clemency.

Thomas Fox. Convicted in the Prince Edward county court, August, 1894, of burglary, and sentenced to ten years in the penitentiary. Pardoned (conditionally) December 20th, 1894. In this case, the commonwealth's attorney asks for clemency upon the ground that he is now convinced that Fox was not guilty of burglary, but of receiving stolen goods, knowing them to have been stolen. Pardon is recommended by the judge, sheriff, and many prominent citizens.

Judy Flood (colored). Convicted in the corporation court of Norfolk, December, 1889, of grand larceny, and sentenced for life, it being her fourth conviction. Granted June 18th, 1895, conditionally. The prisoner is getting old and is a confirmed rheumatic, unable to work, and is believed by the authorities to be a reformed woman. The superintendent of the penitentiary recommends clemency.

Richard Gibson (colored). Convicted in the hustings court of Richmond, April, 1894, of petit larceny, and sentenced to six months in jail. Granted conditionally July 5th, 1894. This man is suffering from a malignant disease and will have to undergo an operation, which cannot be performed in prison. He is given his liberty on condition that he return to jail when relieved.

Ned Gunn (colored). Convicted in the Lunenburg county court, October, 1876, of housebreaking and arson; sentenced to twenty-five years in the penitentiary. Pardoned (conditionally) April 4th, 1895. Pardon is granted upon condition that he hereafter conduct himself as a law-abiding citizen. He has been in prison more than eighteen years. For a number of years his conduct has been excellent. He appears to have been sufficiently punished, and, upon recommendation of the superintendent, clemency is extended to him.

Peter Gíles alias Peter Fitzgerald. Convicted in the Culpeper county court, June, 1894, of seduction, and sentenced to three years in the penitentiary. Granted (conditionally) July 26th, 1895. The prisoner pleaded guilty in consideration of an understanding with the commonwealth's attorney that he, the jury, committing justice and prosecuting witnesses would unite in recommending commutation to one year. He has now been confined thirteen months. The commonwealth's attorney and others ask that he be pardoned. His conduct in prison has been good.

Scott Goodman (colored). Convicted in the corporation court of Norfolk, February, 1890, of malicious shooting, and sentenced to ten years in the penitentiary. Pardoned (conditionally) September 24th, 1895. The physician of the convict farm reports that this man is far gone with consumption and recommends his pardon. He has been confined more than five and one-half years, and his conduct has been good.

William Graves (colored). Convicted in the Pittsylvania county court, June, 1894, of housebreaking, and sentenced to two years in the penitentiary. Commuted (conditionally) December 23rd, 1895, to imprisonment until December 24th, 1895. For about sixteen months this man has been working upon the capitol and mansion grounds. His conduct has been excellent, and he has been most faithful and industrious. He has only three months to serve.

A. F. Hargrave. Convicted in the Tazewell county court, June, 1895, of unlawful sale of ardent spirits and sentenced to thirty days in jail and fined \$100. Pardoned June 24th, 1895, upon condition that fine and costs at once be paid. Under the circumstances, I think the fine in this case was sufficient without the imprisonment.

Chris Haller. Convicted in the Tazewell county court, September, 1895, of assaulting and beating, and sentenced to one day in jail and fined \$200. Pardon granted October 2nd, 1895, upon condition that fine and costs be paid. Pardon is recommended by the judge, commonwealth's attorney, and man assaulted.

Robert Keen. Convicted in the Buchanan county court, April, 1894, of abduction, and sentenced to three years in the penitentiary. Pardon granted April 30th, 1895, upon condition that he conducts himself hereafter as a law-abiding citizen. This man has been sufficiently punished. The jury would have fixed his punishment at one year if they could have done so. Clemency is recommended by many prominent citizens.

William King. Convicted in the Lee county court, January, 1895, of burglary, and sentenced to two years in the penitentiary. Granted May 23, 1893, upon condition that he shall be taken in charge by the Prison Association of Virginia. The prisoner is only fourteen years of age. His transfer to the Reformatory may do much towards improving his morals.

George Owens (colored). Convicted in the hustings court of Richmond, October, 1894, of housebreaking, and sentenced to twelve months in jail. Granted June 14th, 1895, on condition that he hereafter conduct himself as an honest citizen. The judge, commonwealth's attorney and jury unite in recommending pardon. The prisoner is only fourteen years of age. He has served nearly all of his term and is now in failing health.

Frank Pease. Convicted in the corporation court of Norfolk, February, 1895, of felonious assault, and sentenced to two months in jail. Pardon granted March 22d, 1895, the prisoner having complied with the terms by paying costs of the prosecution (\$25.00), conditions precedent.

Taylor Rolan alias Taylor Rowland. Convicted in the Fluvanna county court, March, 1876, of burglary and larceny, and sentenced to twenty-four years in the penitentiary; (ten years being added for prior conviction). Pardoned April 4th, 1895, on condition that he conduct himself as a law-abiding citizen hereafter. The prisoner has been in the penitentiary more than eighteen years. His conduct has been good, except immediately after he was received. It is thought that he has been sufficiently punished. Clemency is recommended by the superintendent of the penitentiary.

Claiborne Rutherford. Convicted in the Lee county court, June, 1894, of horse-stealing, and sentenced to three years in the penitentiary. Pardoned April 25th, 1895, on condition that he conducts himself as a law-abiding citizen hereafter. Pardon is recommended by the commonwealth's attorney, sheriff, clerk of courts, three members of the legislature, the person from whom the horse was stolen, and nine of the jurors. At the time of the offence the convict, who was quite young, was crazed by drink. His prison record is good and his health bad.

George H. Rogers. Convicted in the Lee county court, February, 1891, of barn-burning, and sentenced to eight years in the penitentiary. Pardoned August 24th, 1895, on condition that he conduct himself as a law-abiding citizen hereafter. There are grave doubts as to the prisoner's guilt. His conduct in prison has been good. Pardon is recommended by the commonwealth's attorney who prosecuted, the present commonwealth's attorney, jurors, sheriff, treasurer, and citizens.

David Rigney. Convicted in the Carroll county court, June, 1894, of manslaughter, and sentenced to three years in the penitentiary. Pardoned conditionally, September 24th, 1895. The prisoner is believed to be in the last stages of consumption. Pardon is recommended by the physician of the Convict Farm.

W. D. Shepherd. Convicted in the hustings court of Richmond, November, 1893, of grand larceny, and sentenced to one year in the penitentiary. Pardoned July 5th, 1894, upon condition that he will not within the next two years commit any felony or misdemeanor within the State of Virginia. There are strong doubts as to the guilt of this man, as he was with several drunken companions when the offence was committed, and was himself intoxicated. He has served nearly all of his term. Pardon is recommended by many prominent citizens.

Mason Tavenner. Convicted in the Loudoun county court, August, 1895, of selling liquor without a license; fined \$100 and sent to jail for six months. Granted September 9th, 1895, upon condition that he conducts himself hereafter as a law-abiding citizen and not again violate the penal laws of the commonwealth. In the opinion of the physician of the jail further confinement would result in his death. Recommended by judge and many prominent citizens.

Lilawa Tamalamawa. Convicted in the hustings court of Richmond, April, 1895, of petit larceny, and sentenced to six months in jail. Pardoned March 10th, 1895, on condition that he leave the State and never return. He is an Hawaiian subject. Clemency is especially recommended by the Hawaiian consul-general and by Hon. S. B. Witt, the trial judge.

John S. Taylor. Convicted in the Prince Edward county court, February, 1894, of forgery, and sentenced to two years in the penitentiary. Pardoned July 26th, 1895, upon condition that he conduct himself hereafter as a law-abiding citizen. Clemency is recommended by the judge, commonwealth's attorney, and many prominent citizens. He forged a due-bill for \$2.00 while in a drunken condition. His character had been good, and he has conducted himself well in prison. The person whose name was forged united with many others in asking clemency.

Irene Turner. Convicted in the corporation court of Danville, December, 1895, of keeping a house of ill-fame; fined ten dollars and sentenced to thirty days in jail. Pardoned December 6th, 1895, upon condition that she pay fine and costs of prosecution at once. The prisoner is pardoned on account of bad health. Clemency is recommended by the commonwealth's attorney, jail physician, jurors, and several prominent citizens.

Whit Williams. Convicted in the corporation court of Danville, December, 1894; of unlawful assault, and sentenced to six months in jail. Pardon granted April

4th, 1895, on condition that he conduct himself as a law-abiding citizen hereafter. Clemency is recommended by the judge, jury, and many prominent citizens. His punishment was probably quite severe.

Charles Washington (colored). Convicted in the Page county court, June, 1894, of burglary, and sentenced to five years in the penitentiary. Pardoned April 10th, 1895, on condition that he conducts himself as a law-abiding citizen hereafter. The prisoner is only sixteen years of age. His conduct in the penitentiary has been good. Clemency is recommended by the judge, commonwealth's attorney, and others.

Corbett Williams. Convicted in the corporation court of Danville, March, 1895, of malicious assault, and sentenced to one year in the penitentiary. Granted September 20th, 1895, on condition that he conduct himself hereafter as a law-abiding citizen. Clemency is recommended by the judge, commonwealth's attorney, mayor of Danville, and by many prominent citizens, who think the punishment was excessive. The injury was slight. He is a young man, and his previous character was good.

Commutations.

Ida Anderson. Convicted in the hustings court of Richmond in 1893 of grand larceny, and sentenced to one year in the penitentiary. Commuted July 13th, 1894, to three months in jail. The prisoner is a half-witted girl, scarcely more than a child. She was influenced to commit the offence by an old offender, and when the gentleman who lost the money spoke of it, she promptly told him who had it. Clemency is recommended by Hon. S. B. Witt, the trial judge.

J. F. Ashworth. Convicted in the Lunenburg county court, January, 1894, of malicious shooting, and sentenced to three years in the penitentiary. Commuted November 23d, 1894, to fifteen months. The pardon of this man, whose prison record has been good, is recommended by the judge, commonwealth's attorney, and jury, and nearly one hundred reputable citizens. The offence for which the prisoner was convicted was wholly without premeditation, and was, perhaps, due to his intoxicated condition.

William Anderson. Convicted in the Prince William county court, October, 1894, of housebreaking, and sentenced to two years in the penitentiary. Commuted to six months in the penitentiary February 27th, 1895. Clemency is recommended by the judge, commonwealth's attorney, and eight of the jury. He was technically guilty of the offence.

E. C. Blank. Convicted in the hustings court of Richmond, December, 1893, of forgery, and sentenced to two years in the penitentiary. Commuted February 2d, 1894, to six months in jail. The trial judge, commonwealth's attorney, jurors, and sergeant of the city of Richmond, and the gentleman whose name was forged, recommend the granting of the petition for commutation. It appears that Blank was for several years addicted to the use of opium, which deprived him of his will-power and wrecked him physically. Under these circumstances it is doubtful whether he was morally or legally responsible for his act.

George W. Boshier. Convicted in the Hanover county court, December, 1891, of housebreaking with intent to rape, and sentenced to five years in the penitentiary. Commuted June 9th, 1894, to three years imprisonment in the penitentiary. Clemency is recommended by the superintendent of the penitentiary, Hon. R. H. Cardwell, and nearly one hundred good citizens of Hanover. The man was intoxicated when he attempted the crime, and it is believed he would not have committed the offence had he been sober.

W. J. Bowles. Convicted in the Amherst county court, August, 1894, of attempted involuntary manslaughter, and sentenced to six months in jail. Commuted November 9th, 1894, to three months in jail. The punishment of this man appears excessive. The victim of the assault received practically no injury, while Bowles, when he committed the offence, was sorely tried. He did the shooting in the belief that he was in danger. He is a weak man physically. The commonwealth's attorney, sheriff, treasurer, and several jurors, recommend clemency.

Isaac Beckelhimer. Convicted in the Floyd county court, May, 1894, of perjury, and sentenced to two years in the penitentiary. Commuted January 8th, 1895, to one year in the penitentiary. The prisoner was under seventeen years of age when the offence was committed, and it appears he was persuaded to perjure himself by an older person. Clemency is recommended by the judge, commonwealth's attorney, and fully two hundred reputable citizens of Floyd county.

Marshall Black. Convicted in the Bedford county court, December, 1894, of malicious shooting, and sentenced to one year in the penitentiary. Commuted March 25th, 1895, to one year in jail upon paying costs in the case and a fine of fifty dollars. The prisoner has complied with the conditions of the pardon by paying the fine and costs. Clemency was recommended by the commonwealth's attorney and several hundred prominent citizens.

David Bailey. Convicted in the Tazewell county court, October, 1894, of horse-stealing, and sentenced to three years in the penitentiary. Commuted July 26th, 1895, to one year. The prisoner is only sixteen years of age, and is the only support of his mother, who has a large family. Clemency is recommended by the commonwealth's attorney.

John W. Coffman. Convicted in the Rockingham county court, May, 1893, of attempted rape, and sentenced to five years in the penitentiary. Commuted May 25th, 1894, to three years in the penitentiary. The prisoner is a young man of very little mind, and did not, in the opinion of the judge, fully comprehend the nature of the offence with which he was charged. The commonwealth's attorney thinks the minimum punishment—three years—will be sufficient. Many citizens recommend his pardon. His character has been fair, and his conduct in prison good.

D. Coppedge. Convicted in the Bedford county court, November, 1894, of malicious assault, and sentenced to one year in the penitentiary. Sentence commuted December 20th, 1894, to twelve months in jail. The prisoner is thought to have been insane, as shown by after-discovered evidence.

Matthew Ellington. Convicted in the hustings court of Richmond, December 20th, 1894, of voluntary manslaughter, and sentenced to three years in the penitentiary. Commuted March 1st, 1895, to imprisonment in jail for twelve months. The petition of this man is endorsed by the judge, commonwealth's attorney, and many reputable citizens. He was convicted of manslaughter, but the facts show that the killing was probably accidental, and that the deceased was in a declining condition at the time of the alleged homicide.

Bartlett Fisher (colored). Convicted in the Powhatan circuit court, October, 1880, on indictments for burglary and robbery, and sentenced to twenty-six years in the penitentiary. Sentence in two cases commuted, on April 18th, 1894, to sixteen years. This man, who has served so many years in prison, is now quite old. While in the penitentiary, he has been an excellent prisoner. His thefts were all small.

William Gibson (colored). Convicted in the Powhatan county court, October, 1880, of burglary and robbery, and sentenced to twenty-six years in the penitentiary. Commuted May 4th, 1894, to sixteen years. This convict is an old man, and has been a good prisoner. Pardon is recommended by the superintendent of the penitentiary.

Thomas A. Goodman. Convicted in the Alexandria county court, December, 1894, of malicious cutting, and sentenced to two years in the penitentiary. Commuted April 30th, 1895, to one year in the penitentiary. When the crime was committed, Goodman was so crazed with liquor as to raise doubt as to his responsibility for his act, which seems to have been without anything to induce it. Clemency is recommended by the judge, commonwealth's attorney, jury and many prominent citizens.

James Haley. Convicted in the Lee county court, July, 1893, of attempt to kill, and sentenced to twelve months in jail. Commuted February 5th, 1894, to nine months in jail. The prisoner's conduct in jail has been excellent, and he has cheerfully performed the duties imposed upon him. Clemency is asked by a large number of citizens.

J. D. Humphreys. Convicted in the corporation court of Charlottesville, November, 1891, of forgery, and sentenced to six years in the penitentiary. Commuted to five years' actual confinement September 20th, 1895. Clemency in this case was recommended by the judge, commonwealth's attorney, jury, senator for the district, and many reputable citizens.

Samuel M. Laline. Convicted in the Franklin county court, December, 1885, of house-breaking and robbery, and sentenced to seventeen years in the penitentiary. Commuted November 9th, 1894, to ten years and three months, on condition that he leave Virginia and never return. The punishment in this case appears to have been excessive. Laline has already served nearly nine years of his term. His health is bad. The articles stolen by him were of little value. Many good citizens recommend clemency.

Franklin C. Lewis. Convicted in the Accomac county court of selling liquor unlawfully; sentenced to sixty days in jail and fine and costs, aggregating \$332.69, imposed. Sentence commuted March 8th, 1895, to five days in jail. It appears that the fine and costs imposed have been paid.

G. W. McClanahan. Convicted in the Buckingham county court, August, 1894, of malicious assault, and sentenced to one year in the penitentiary. Commuted to four months. Pardon is recommended by the commonwealth's attorney, jury, and many prominent citizens. The prisoner was an accessory before the fact, and the principal was sent to jail for six months. His conduct in prison has been good.

Shade McClanahan. Convicted in the Buckingham county court, August, 1894, of malicious assault, and sentenced to one year in the penitentiary. Commuted to four months in jail. Pardon is recommended by the commonwealth's attorney, jury, and many prominent citizens. The prisoner (like his brother, G. W. McClanahan,) was an accessory before the fact. His conduct in prison has been good.

Thomas Nelson (colored). Convicted in a magistrate's court of Henrico county, 1895, of petit larceny, and sentenced to thirty days in jail. Commuted to ten days in jail April 11th, 1894. This man stole twenty-five cents worth of coal. He has a very destitute family dependent upon him, and in view of the recommendations of the judge, commonwealth's attorney, and other citizens, clemency is extended him.

Mary Norment (colored). Convicted in the hustings court of Richmond, March, 1895, of attempting to rescue a prisoner from a policeman, and sentenced to six months in jail. Commuted March 25th, 1895, to five days in jail, upon condition that fine and costs be paid. This woman was technically guilty, but the jury, having no discretion, were compelled to make the sentence six months. The punishment is excessive. The judge, commonwealth's attorney, and others, recommend clemency.

Thomas Nappier. Convicted in the Nelson county court, July, 1893, of house-breaking, and sentenced to four years in the penitentiary. Commuted to two years' actual confinement, July 18th, 1895. The punishment of this man is regarded as excessive by the commonwealth's attorney. The prisoner made no defence, owing to an understanding between his attorney and the commonwealth's attorney that the jury would be requested to fix his term at two years. The jury disregarded this request.

Daniel Powell (colored). Convicted in the hustings court of Manchester, September, 1892, of horse-stealing, and sentenced to three years in the penitentiary. Commuted February 14th, 1894, to two years. The prisoner is quite young, and, prior to the offence, had borne a good character. He is believed to have been led astray by older associates.

William Porter (colored). Convicted in the Roanoke county court, 1889, of burglary, and sentenced to eight years in the penitentiary. Commuted July 7th, 1894, to five years' imprisonment. The prisoner was only fifteen years of age when he committed the offence. His conduct in prison has been excellent. Clemency is recommended by the judge, commonwealth's attorney, and party whose house was entered.

John Peake (colored). Convicted in the Pittsylvania county court, June, 1891, of rape, and sentenced to ten years in the penitentiary. Commuted August 16th, 1895, to five years. The punishment in this case was excessive. The evidence disclosed the fact that Peake and the woman upon whom the assault was made, had previously been living together as man and wife, and the subsequent marriage of Peake to another woman had incensed his paramour. The trial judge recommends clemency.

James G. Richardson. Convicted in the hustings court of Roanoke, November, 1894, of inciting riot, and sentenced to thirty days in jail and fined \$100. Commuted February 2d, 1894, to twenty-four hours in jail upon payment of fine. The prisoner has hitherto borne a good character. It is represented that his mother, a lady eighty years of age, is deeply grieved over his conviction, and it is feared she will die if sentence should be carried out.

Geo. W. Raymond. Convicted in the York county court, June, 1893, of grand larceny, and sentenced to two years and ten months in the penitentiary. Commuted September 12th, 1895, to two years and four months. His term has nearly expired. His prison conduct has been good, and he is far gone with consumption and stomach trouble. It seems humane to release him.

J. Renfro. Convicted in the Scott county court, August, 1894, of housebreaking, and sentenced to two years in the penitentiary. Commuted September 20th, 1895, to thirteen months, on condition he leave the State never to return. Renfro is a confirmed cripple and a great sufferer. Pardon is recommended by the superintendent and surgeon of the penitentiary and many good citizens.

Terry Southerland. Convicted in the Grayson county court, October, 1891, of murder in the second degree, and sentenced to nine years in the penitentiary. Commuted to three years. It appears that there were strong mitigating circumstances in this case. The prisoner killed his brother, several years his senior, who, it seems, had for a long time almost habitually maltreated him, beating and choking him on numerous occasions. The convict was physically weak and rather simple-minded, and on the morning of the killing he had reasonable grounds to fear serious personal chastisement from his victim.

Nelson Shores (colored). Convicted in the hustings court of Richmond, July, 1893 (drove a horse and buggy into the county and left it on roadside), and was sentenced to eight years in the penitentiary. Sentence commuted January 6th, 1894, to confinement for eight months from date. The prisoner is only twelve years of age, and being colored, cannot get into the Reformatory.

Preston White. Convicted in the Albemarle county court, January, 1893, of malicious assault, and sentenced to five years in the penitentiary. Commuted August 2d, 1894, to two years. In the opinion of the judge, commonwealth's attorney, and many prominent citizens, the punishment was excessive. The convict's conduct in prison has been good.

Edward W. Williams alias Edward Wooton alias Woodson. Convicted in the hustings court of Richmond, March, 1894, of burglary, and sentenced to six years in the penitentiary (five years added for second conviction). Commuted September 10th, 1894, so that his term will expire September 15th, 1894, instead of October 14th, 1898. The prisoner is dying of consumption. His case is hopeless. His conduct in prison has been good. (Williams died the day after the pardon was granted and before the papers reached him.)

James Williams. Convicted in the Wythe county court, May, 1894, of forgery, and sentenced to two years in the penitentiary. Commuted March, 16th, 1895, to

one year in the penitentiary. The prisoner was a reputable man until he became a confirmed opium-eater. He forged the name of a man who owed him, but would not pay, for a small sum. His family was in distress. Clemency is recommended by the commonwealth's attorney and many prominent citizens.

Robert Williams alias Paul Lawson. Convicted in the Nottoway county court, September, 1888, of housebreaking and larceny, and sentenced to ten years in the penitentiary (five years added for second conviction). Commuted March 29th, 1895, to seven years actual confinement, upon condition that he hereafter conducts himself as a law-abiding citizen. There appears to be no doubt that the original term imposed upon this man was excessive. Pardon is recommended by the judge and commonwealth's attorney. His conduct in prison has been good.

Respites.

Madison Brown (colored). Convicted in the corporation court of Norfolk of murder in the first degree, and sentenced to be hung July 11th, 1894. Respited June 30th, 1894, till July 31st, 1894. The prisoner makes a strong appeal for a respite in order that he may prepare his soul for eternity. The earnestness of the communication is such as to justify a twenty days' respite.

Morris Hopkins (colored). Convicted in the Henrico county court, February 21st, 1895, of murder in the first degree, and sentenced to be hung April 3d, 1895. Respited until Wednesday, April 24th, 1895. Mr. Wm. Justis, counsel for Hopkins, has been informed that Robert Mosby, one of the principal witnesses for the Commonwealth, has admitted that his testimony was false. Respite is granted in order that the condemned man may investigate this matter through his lawyer.

William Henry Marable alias Solomon Marable. Convicted in the Lunenburg county court, July, 1895, of murder in the first degree, and sentenced to be hung September 20th, 1895. Respited until October 22d, 1895.

James Robinson. Convicted in the Prince William county court, February, 1894, of rape, and sentenced to be hung March 30th, 1894. Respite until April 20th, 1894. This action is taken in order that the prisoner may be hung with Ben. White, his *particeps criminis*. Respited again until April 27th, 1894, in order to allow Robinson's counsel time to prepare writ of error.

William Robertson. Convicted in the Franklin county court, 1894, of murder in the first degree, and sentenced to be hung December 21st, 1894. Respited until January 25th, 1895. Respite is requested by the commonwealth's attorney.

Benj. White (colored). Convicted in the Prince William county court, March, 1894, of rape, and sentenced to be hung April 20th, 1894. Respited April 17th until April 27th, 1894. Respite allowed in order to enable prisoner's counsel to prepare writ of error.

SENATE DOC. No. V.

COMMUNICATION

FROM THE

Auditor of Public Accounts,

SHOWING THE

STATUS OF THE ACCOUNTS OF CLERKS OF COURTS AND OYSTER
INSPECTORS AS OF DECEMBER 1, 1895. PREPARED BY THE
AUDITOR OF PUBLIC ACCOUNTS IN RESPONSE TO A JOINT
RESOLUTION OF THE GENERAL ASSEMBLY APPROVED
DECEMBER 17, 1895.

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,
RICHMOND, *January 6, 1896.*

Hon. R. C. KENT,
President of the Senate.

SIR:

A resolution of the General Assembly, agreed to on the 17th ulto., directs the Auditor of Public Accounts to "inform the General Assembly, by report in writing, as early as practicable, of the status of the several accounts of the clerks of courts and other officers, except treasurers, of the several counties, cities, and towns of this State as of December 1, 1895." I have the honor to hand you herewith the statement called for by the resolution.

Very respectfully,

MORTON MARYE,
Auditor of Public Accounts.

STATEMENT

Showing the status of the accounts of clerks of courts and oyster inspectors as of December 1, 1895. Prepared by the Auditor of Public Accounts in response to a joint resolution of the General Assembly, approved December 17, 1895.

CLERKS OF COURTS.

COUNTY.	NAME OF CLERK.	COURT.	Amt. Due Dec. 1, '95.	REMARKS.
Bedford.....	R. D. Buford.....	County.....	\$ 914 50	Paid in full since December 1, 1895.
Bedford.....	J. M. Speece.....	Circuit.....	*	
Buchanan.....	Jo. Hebbith.....	County.....	169 69	Paid in full since December 1, 1895.
Cumberland.....	J. B. Flippin.....	County and Circuit..	302 08	Paid in full since December 1, 1895.
Elizabeth City.....	S. B. Wood.....	Circuit.....	32 78	Paid in full since December 1, 1895.
Fluvanna.....	Wm. Slater.....	County and Circuit..	148 23	Paid in full since December 1, 1895.
Franklin.....	J. J. Carper.....	County.....	138 48	Paid in full since December 1, 1895.
Franklin.....	G. H. T. Greer.....	Circuit.....	141 55	Paid in full since December 1, 1895.
Henry.....	J. H. Matthews.....	County.....	100 00	Paid in full since December 1, 1895.
Highland.....	J. C. Matheny.....	County and Circuit..	81 14	Paid in full since December 1, 1895.
James City.....	T. H. Geddy.....	Circuit.....	2 38	Paid in full since December 1, 1895.
Lancaster.....	Wm. Chilton.....	County and Circuit..	27 78	Paid in full since December 1, 1895.
Lee.....	S. V. R. Richmond..	County.....	503 27	Paid in full since December 1, 1895.
Lee.....	A. B. Munsey.....	Circuit.....	63 41	Paid in full since December 1, 1895.
Middlesex.....	B. B. Chowring.....	County and Circuit..	127 63	Paid in full since December 1, 1895.
Nansemond.....	R. R. Smith.....	County.....	753 06	Paid in full since December 1, 1895.
Norfolk.....	L. M. Sylvester.....	Circuit.....	95 38	
Northampton.....	T. S. Spady.....	County and Circuit..	*	
Rappahannock.....	T. F. Haywood.....	County and Circuit..	182 11	Paid in full since December 1, 1895.
Rockbridge.....	J. C. Boude.....	Circuit.....	189 15	Paid in full since December 1, 1895.
Washington.....	D. C. Cummings, Jr.	County.....	160 27	Paid in full since December 1, 1895.
Washington.....	J. M. Kreger.....	County.....	468 55	
Buena Vista.....	D. H. Rucker.....	Corporation.....	2 28	Paid in full since December 1, 1895.
Lynchburg.....	S. G. Wingfield.....	Corp'n and Circuit..	2,273 71	Paid in full since December 1, 1895.
Petersburg.....	Ro. Gilliam.....	Hustings.....	51 85	Paid in full since December 1, 1895.
Portsmouth.....	C. T. Phillips.....	Corp'n and Circuit..	626 90	Paid in full since December 1, 1895.
Radford.....	Arthur Roberts.....	Corporation.....	415 83	Paid in full since December 1, 1895.
Roanoke.....	S. S. Brocke.....	Corp'n and Circuit..	4,740 19	Paid \$524.65 since December 1, 1895.

clerk's Receipt book not received.

OYSTER INSPECTORS.

COUNTY.	NAME OF INSPECTOR.	Amt. Due Dec. 1, 1895.
Accomac.....	Jno. F. Powell.....	\$ 104 33
Accomac.....	J. E. Anderton.....	35 69
Accomac.....	C. P. Finney.....	12 37
Isle of Wight.....	H. R. Parker.....	93 28
James City.....	S. S. Hankins.....	7 61
Lancaster.....	E. W. Long.....	10 56
Lancaster.....	A. S. Mitchell.....	15 19
Lancaster.....	J. C. Towles.....	2 59
Middlesex.....	B. F. Hart.....	171 83
Nansemond.....	J. T. Capps.....	46 42
Norfolk.....	C. J. Cannon.....	35 76
Northumberland.....	A. V. Williams.....	7 38
Northumberland.....	J. W. Ball.....	55 48
Princess Anne.....	R. A. Mapp.....	1,060 72
Richmond.....	Eli Sharp.....	47 34

COMMUNICATION

FROM THE

Auditor of Public Accounts

SHOWING THE

AMOUNT OF REVENUE DERIVED FROM THE OYSTER
INDUSTRY FOR THE FISCAL YEAR ENDING
SEPTEMBER 30, 1895.

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,
RICHMOND, VA., *January 6, 1896.*

Hon. R. C. KENT,
President of the Senate:

SIR:

A resolution of your honorable body, agreed to on the 17th of last month, and concurred in by the House of Delegates, directs me "to furnish a statement showing the amount of revenue derived from the oyster industry for the fiscal year ending September 30, 1895, on account of rents from planted grounds, and what from the natural rocks, from fees, &c., from dredgers and tongers."

I have the honor to hand you herewith the statement called for.

Very respectfully,

MORTON MARYE,
Auditor Public Accounts.

A STATEMENT

Showing the amount of revenue derived from the oyster industry for the fiscal year ending September 30, 1895, on account of rents from planted ground, from the natural rocks, and from fees, &c., from dredgers and tongers, prepared by the auditor of public accounts in obedience to a resolution of the General Assembly, approved December 17th, 1895.

From patent tongs.....	\$	475	75
“ ordinary tongs.....		7,411	86
“ dredgers.....		4,439	41
“ rent of planted grounds.....		18,669	12
			<hr/> \$30,996 14

The sum of \$1,892.19 received from oyster inspectors, in addition to the above, cannot be tabulated so as to show the source of revenue from which derived, because the Commissioner of Fisheries has not forwarded to auditor the reports of inspectors relating thereto.

COMMUNICATION

FROM THE

Auditor of Public Accounts,

SHOWING

WHAT AMOUNT HAS BEEN EXPENDED BY THE STATE FOR THE
CARE AND SUPPORT OF LUNATICS AND INSANE PERSONS IN
THE SEVERAL COUNTIES AND CITIES OF THE COMMON-
WEALTH, OUTSIDE OF THE SEVERAL INSANE HOSPI-
TALS, DURING THE FISCAL YEAR ENDING SEPTEMBER
30, 1895, PREPARED BY THE AUDITOR OF
PUBLIC ACCOUNTS IN OBEDIENCE TO A
RESOLUTION OF THE SENATE, AGREED
TO DECEMBER 12, 1895.

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,
RICHMOND, VA., *January 6th, 1896.*

Hon. R. C. KENT,
President of the Senate:

SIR:

A resolution of the Senate agreed to on December 12th, 1895, is as follows, to-wit:

“Resolved by the Senate, That the Auditor of Public Accounts is hereby requested to inform the Senate what amount has been expended by the State for the care and support of lunatics and insane persons, outside of the several insane hospitals, during the last fiscal year, and also the number of such lunatics and insane persons that are now being so provided for in the several counties of the State.”

In response to this resolution, I have the honor to hand you herewith a statement showing the number of insane persons cared for and supported by the State in each county and city, outside of the State hospitals, during the past fiscal year, and the amount expended therefor. I am unable to state the number now being thus supported, because I do not know how many have been sent to the hospitals since accounts for their support were paid.

Very respectfully,

MORTON MARYE,
Auditor of Public Accounts.

STATEMENT

Showing what amount has been expended by the State for the care and support of lunatics and insane persons in the several counties and cities of the Commonwealth, outside of the several insane hospitals, during the fiscal year ending September 30th, 1895, prepared by the Auditor of Public Accounts in obedience to a resolution of the Senate agreed to December 12th, 1895.

COUNTIES, CITIES AND TOWNS.	IN JAIL.		IN PRIVATE HANDS.		TOTAL.	
	No.	Amount Paid.	No.	Amount Paid.	No.	Amount Paid.
Accomac.....	3	\$ 175 75	2	\$ 215 00	5	\$ 390 75
Albemarle.....	9	154 83	2	38 00	11	192 83
Alexandria county...						
Alleghany.....	3	124 65	1	104 50	4	229 15
Amelia.....						
Amherst.....	4	74 62			4	74 62
Appomattox.....			3	51 05	3	51 05
Augusta.....	3	151 08			3	151 08
Bath.....	2	3 50			2	3 50
Bedford.....	5	27 35			5	27 35
Bland.....	2	116 55	3	243 65	5	360 20
Botetourt.....	4	77 68	3	146 00	7	223 68
Brunswick.....	1	16 50			1	16 50
Buchanan.....						
Buckingham.....	5	103 60	1	41 43	6	145 03
Campbell.....	10	213 05	1	138 50	11	349 55
Caroline.....	4	29 50			4	29 50
Carroll.....			33	2,575 36	33	2,575 36
Charles City.....	2	149 95			2	149 95
Charlotte.....	1	18 00			1	18 00
Chesterfield.....	4	103 20	3	87 00	7	190 20
Clarke.....	1	8 25			1	8 25
Craig.....			1	134 80	1	134 80
Culpeper.....	2	20 25			2	20 25
Cumberland.....	2	57 18			2	57 18
Dinwiddie.....	1	68 25			1	68 25
Elizabeth City.....	8	172 50			8	172 50
Essex.....						
Fairfax.....	4	111 26			4	111 26
Fauquier.....	2	118 05			2	118 05
Floyd.....	3	22 25			3	22 25
Fluvanna.....	1	18 75	2	127 50	3	146 25
Franklin.....	4	36 50			4	36 50
Frederick.....	1	3 05			1	3 05
Giles.....	3	20 25	3	311 50	6	331 75
Gloucester.....	6	186 55			6	186 55

COUNTIES, CITIES AND TOWNS.	IN JAIL.		IN PRIVATE HANDS.		TOTAL.	
	No.	Amount Paid.	No.	Amount Paid.	No.	Amount Paid.
Goochland.....	4	\$ 108 30	.....	\$.....	4	\$ 108 30
Grayson.....	2	200 32	3	394 20	5	594 52
Greene.....	3	30 33	.....	.....	3	30 33
Greensville.....	2	35 25	.....	.....	2	35 25
Halifax.....	3	54 25	7	538 25	10	592 50
Hanover.....	2	52 70	.....	.....	2	52 70
Henrico.....	14	99 20	.....	.....	14	99 20
Henry.....	4	76 05	5	378 55	9	454 60
Highland.....	.....	.....	.....	.....	.....	.....
Isle of Wight.....	2	166 00	.....	.....	2	166 00
James City and Williamsburg, }	4	140 00	.....	.....	4	140 00
King George.....	3	66 24	2	103 70	5	169 94
King & Queen.....	.....	.....	1	30 50	1	30 50
King William.....	2	55 35	1	82 18	3	137 53
Lancaster.....	.....	.....	.....	.....	.....	.....
Lee.....	8	71 00	1	7 50	9	78 50
Loudoun.....	4	180 50	.....	.....	4	180 50
Louisa.....	1	1 95	.....	.....	1	1 95
Lunenburg.....	2	45 50	1	124 00	3	169 50
Madison.....	.....	.....	.....	.....	.....	.....
Mathews.....	.....	.....	.....	.....	.....	.....
Mecklenburg.....	2	27 20	.....	.....	2	27 20
Middlesex.....	.....	.....	.....	.....	.....	.....
Montgomery.....	1	82 80	1	20 90	2	103 70
Nansemond.....	7	70 00	.....	.....	7	70 00
Nelson.....	2	7 20	1	109 20	3	116 40
New Kent.....	.....	.....	.....	.....	.....	.....
Norfolk county.....	9	100 50	.....	.....	9	100 50
Northampton.....	.....	.....	.....	.....	.....	.....
Northumberland.....	1	3 75	.....	.....	1	3 75
Nottoway.....	2	23 28	.....	.....	2	23 28
Orange.....	2	29 10	.....	.....	2	29 10
Page.....	.....	.....	5	802 50	5	802 50
Patrick.....	4	207 00	5	192 68	9	399 68
Pittsylvania.....	19	329 85	.....	.....	19	329 85
Powhatan.....	4	26 93	.....	.....	4	26 93
Prince Edward.....	7	34 50	.....	.....	7	34 50
Prince George.....	2	19 25	.....	.....	2	19 25
Princess Anne.....	2	9 00	.....	.....	2	9 00
Prince William.....	2	97 80	1	11 20	3	109 00
Pulaski.....	.....	.....	.....	.....	.....	.....
Rappahannock.....	1	10 00	.....	.....	1	10 00
Richmond county.....	2	170 00	1	12 75	3	182 75
Roanoke.....	4	35 15	.....	.....	4	35 15
Rockbridge.....	2	113 75	.....	.....	2	113 75
Rockingham.....	1	52 95	4	350 35	5	403 30
Russell.....	1	71 00	.....	.....	1	71 00
Scott.....	3	28 65	.....	.....	3	28 65
Shenandoah.....	2	44 75	.....	.....	2	44 75
Smythe.....	.....	.....	2	16 75	2	16 75
Southampton.....	1	14 75	.....	.....	1	14 75
Spotsylvania.....	2	29 25	.....	.....	2	29 25
Stafford.....	.....	.....	7	625 25	7	625 25
Surry.....	2	68 00	.....	.....	2	68 00

COUNTIES, CITIES AND TOWNS.	IN JAIL.		IN PRIVATE HANDS.		TOTAL	
	No.	Amount Paid.	No.	Amount Paid.	No.	Amount Paid.
Sussex	2	\$ 82 85	1	\$ 152 00	3	\$ 234 85
Tazewell.....	3	76 85	.....	.....	3	76 85
Warren	4	229 50	.....	.....	4	229 50
Warwick	3	66 40	.....	.....	3	66 40
Washington.....	4	117 80	.....	.....	4	117 80
Westmoreland	1	65 00	.....	.....	1	65 00
Wise.....	1	123 25	1	50 22	2	173 47
Wythe	5	34 25	.....	.....	5	34 25
York.....	.....	.....	.....	.....	.....	.....
Alexandria city.....	5	117 00	.....	.....	5	117 00
Charlottesville.....	1	1 25	.....	.....	1	1 25
Danville.....	13	80 40	.....	.....	13	80 40
Fredericksburg.....	3	36 75	.....	.....	3	36 75
Lynchburg.....	15	53 71	.....	.....	15	53 71
Manchester	2	70 00	1	75 00	3	145 00
Norfolk city.....	16	104 95	.....	.....	16	104 95
Petersburg.....	41	393 75	1	14 00	42	407 75
Portsmouth.....	1	6 50	.....	.....	1	6 50
Richmond city.....	149	510 78	.....	.....	149	510 78
Roanoke.....	5	33 00	.....	.....	5	33 00
Staunton.....	9	220 05	1	8 00	10	228 05
Winchester.....	6	106 00	.....	.....	6	106 00
Totals	536	\$8,002 29	111	\$3,311 97	647	\$16,314 26

SENATE DOC. No. VIII.

COMMUNICATION

FROM THE

Auditor of Public Accounts,

SHOWING

CRIMINAL EXPENSES IN EACH COUNTY AND
CITY, NUMBER OF PERSONS
ASSESSED, &c., &c.

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,
RICHMOND, *January 21, 1896.*

Hon. R. C. KENT,
President of the Senate:

SIR:

In obedience to a resolution of your honorable body, adopted on the 13th instant, I have the honor to hand you herewith a statement showing the amount paid during the fiscal year ending September 30, 1895, for criminal expenses in each county and city of the Commonwealth, the number of persons assessed with capitation tax of 1895 in each county and city, the criminal charges per capita of those assessed with capitation tax, and the State revenue derived from each county and city.

Very respectfully,

MORTON MARYE,
Auditor of Public Accounts.

STATEMENT

Showing the amount paid during the fiscal year ending September 30, 1896, for criminal expenses in each county and city, the number of persons assessed with capitation tax of 1896 in each county and city, the criminal charges per capita of those assessed with capitation tax, and the State revenue of 1896 from each county and city, prepared by the Auditor of Public Accounts in response to a resolution of the Senate, adopted January 13, 1896.

COUNTIES.	Criminal charges.	No. of persons assessed with capitation tax.	Criminal charges per capita of those assessed with capitation tax.	State revenue of year 1896.
Accomac.....	\$3,803 57	7,276	\$ 52½	\$36,885 14
Albemarle.....	4,703 88	5,305	88½	27,620 36
Alexandria.....	657 32	1,076	61	6,245 25
Alleghany.....	3,834 47	2,178	1 76	16,225 13
Amelia.....	990 34	1,895	52½	6,860 57
Amherst.....	2,199 37	3,390	64½	10,891 25
Appomattox.....	1,378 71	1,931	71½	7,311 07
Augusta.....	3,865 88	7,148	54½	56,024 11
Bath.....	665 02	1,035	64½	7,238 79
Bedford.....	3,748 70	6,292	59½	23,557 83
Bland.....	811 41	1,053	77½	3,914 01
Botetourt.....	1,664 60	3,307	50½	17,982 36
Brunswick.....	1,218 03	3,496	32	11,059 61
Buchanan.....	5,488 08	1,171	4 68½	3,051 41
Buckingham.....	1,358 88	2,849	47½	10,348 80
Campbell.....	4,653 98	4,180	1 11½	21,009 57
Caroline.....	1,078 70	3,009	35½	11,727 48
Carroll.....	5,238 00	3,138	1 66½	6,426 44
Charles City.....	753 58	1,053	71½	5,427 08
Charlotte.....	889 01	3,020	29½	11,529 67
Chesterfield.....	2,066 69	4,037	51½	22,272 99
Clarke.....	1,641 49	1,656	99½	14,928 14
Craig.....	1,223 33	818	1 49½	4,907 43
Culpeper.....	1,808 39	2,687	74½	16,535 27
Cumberland.....	401 54	1,791	22½	6,141 80
Dickenson.....	4,221 15	1,035	4 07½	2,612 51
Dinwiddie.....	377 99	2,423	15½	8,531 45
Elizabeth City.....	3,757 61	2,351	1 59½	26,120 60
Essex.....	1,457 08	1,929	75½	8,190 50
Fairfax.....	928 24	4,193	22½	23,717 64
Fauquier.....	2,127 97	4,723	45	39,584 83
Floyd.....	4,480 68	2,624	1 70½	7,799 67
Fluvanna.....	660 13	2,737	24½	5,709 73
Franklin.....	3,401 71	4,748	71½	13,407 67
Frederick.....	1,475 76	2,867	51½	19,900 82
Giles.....	1,025 61	1,797	57	7,281 50
Gloucester.....	2,266 73	2,648	85½	11,161 81
Goochland.....	749 69	1,892	35½	8,500 20
Grayson.....	2,108 79	2,701	78½	6,536 09
Greene.....	1,478 31	1,210	1 22	4,495 83

STATEMENT—CONTINUED.

COUNTIES.	Criminal charges.	No. of persons assessed with capitation tax.	Criminal charges per capita of those assessed with capitation tax.	State revenue of year 1888.
Greensville	\$1,589 14	1,796	\$ 88½	\$6,803 34
Halifax	2,652 41	7,027	37½	28,643 94
Hanover	1,971 11	3,617	54½	17,466 74
Henrico	10,911 88	5,327	2 04½	53,126 48
Henry	3,416 84	3,377	1 01½	12,672 56
Highland.....	760 50	1,250	61	6,172 89
Isle of Wight.....	708 41	2,875	24½	14,778 20
James City.....	379 23	811	47	3,079 70
King George.....	1,414 11	1,354	1 04½	4,616 27
King and Queen	819 24	1,886	43½	7,265 05
King William.....	1,588 05	1,753	90½	10,930 99
Lancaster.....	2,372 12	2,284	1 03½	8,900 24
Lee.....	4,549 52	3,430	1 32½	12 207 05
Loudoun.....	1,840 77	4,788	38½	50,066 72
Louisa	1,073 63	2,939	36½	13,456 30
Lunenburg.....	2,367 78	2,235	1 06	6,267 86
Madison.....	444 54	1,934	23	9,954 93
Mathews.....	602 42	1,798	34½	5,398 18
Mecklenburg.....	2,573 33	4,994	51½	17,565 23
Middlesex	1,198 46	1,781	67½	6,706 82
Montgomery.....	2,919 35	2,728	1 07	13,182 60
Nansemond.....	1,769 22	3,992	44½	23,281 47
Nelson.....	409 48	3,021	13½	11,443 25
New Kent.....	661 88	1,000	66	4,233 58
Norfolk.....	13,767 23	7,741	1 77½	38,326 69
Northampton	563 09	3,264	17½	14,615 14
Northumberland.....	529 71	1,927	10½	8,651 53
Nottoway	1,900 28	2,320	82½	8,101 82
Orange	1,160 66	2,709	43	14,775 68
Page.....	3,374 78	2,981	1 13½	14,305 10
Patrick.....	3,199 45	2,714	1 18	6,866 76
Pittsylvania.....	7,103 63	9,007	79	31,997 32
Powhatan.....	521 00	1,492	35	6,643 42
Prince Edward.....	1,729 31	2,606	66½	14,391 56
Prince George.....	566 69	1,587	35½	7,375 97
Prince William.....	1,071 14	2,205	48½	13,832 63
Princess Anne	645 59	2,176	29½	10,896 74
Pulaski	4,525 68	2,690	1 68½	17,338 30
Rappahannock	1,198 79	1,827	65½	12,936 82
Richmond.....	662 48	1,448	45½	16,107 60
Roanoke	1,883 45	2,920	64½	27,295 45
Rockbridge	1,330 07	4,339	30½	29,656 77
Rockingham.....	2,277 42	6,936	32½	50,125 89
Russell.....	2,321 17	3,014	77	10,623 56
Scott.....	7,319 51	2,798	2 61½	9,785 29
Shenandoah.....	804 68	4,322	18½	24,831 09
Smyth.....	3,379 17	2,907	1 16½	11,971 98
Southampton.....	1,269 00	4,450	28½	19,440 88
Spotsylvania.....	914 28	1,748	52½	7,992 92
Stafford.....	3,388 45	1,794	1 90	6,592 27

STATEMENT—CONTINUED.

COUNTIES.	Criminal charges.	No. of persons assessed with capitation tax.	Criminal charges per capita of those assessed with capitation tax.	State revenue of year 1888.
Surry	\$1,159 31	1,900	\$ 61	\$7,680 71
Sussex	891 56	2,572	34½	9,473 10
Tazewell	6,703 54	3,612	1 88½	20,829 71
Warren	821 64	1,777	46½	9,995 47
Warwick	6,098 22	1,382	4 41½	27,467 61
Washington	5,980 39	4,864	1 23	19,344 05
Westmoreland	777 89	1,821	42½	8,605 94
Wise	6,430 23	2,264	2 88½	13,678 88
Wythe	3,681 60	3,643	1 01	25,072 43
York	1,195 68	1,595	75	5,194 67
CITIES.				
Alexandria	3,773 42	3,532	1 06½	32,921 03
Bristol	897 29	753	1 19½	7,989 22
Buena Vista	420 77	413	1 01½	3,973 83
Charlottesville	1,156 65	1,524	75½	15,655 56
Danville	4,434 04	2,653	1 67½	48,669 40
Fredericksburg	1,426 23	1,019	1 40	12,222 36
Lynchburg	4,762 29	4,410	1 08	74,728 82
Manchester	3,870 24	2,123	1 82½	14,903 10
Neapolis	43 50	1,088	04	6,613 34
Norfolk	29,768 05	9,091	3 29½	141,570 06
Petersburg	6,512 61	5,274	1 23½	66,726 62
Portsmouth	3,188 95	3,659	87½	26,027 63
Radford	2,314 73	777	2 98	6,673 54
Richmond	41,233 46	18,064	2 28½	352,688 52
Roanoke	6,319 98	3,991	1 58½	50,075 15
Staunton	1,915 34	1,814	1 05½	27,859 23
Williamsburg	77 98	291	26½	2,535 62
Winchester	1,435 17	1,398	1 02½	14,429 26
	\$350,351 31	354,420		

THIRD ANNUAL REPORT OF THE PRISON ASSOCIATION OF VIRGINIA.

To the Honorable, the General Assembly of Virginia:

The Prison Association of Virginia has the honor to submit to you its third report.

GROWTH OF OUR REFORM SCHOOL.

The first boy committed to our custody was received in November, 1890.

The following table shows the rapid growth of the school since then:

November, 1890, to November, 1891, received	28 boys and discharged.....	0
" 1891, " 1892, " 34 " "		7
" 1892, " 1893, " 42 " "		19
" 1893, " 1894, " 51 " "		20
" 1894, " 1895, " 70 " "		45
Total received.....		225
Total discharged.....		91

Leaving in school at this date, 134 boys.

The average age of the boys when received was 14 years, 1 month, and 23 days.

They were sent us from the cities of Richmond, Norfolk, Lynchburg, Portsmouth, Charlottesville, Bristol, Staunton, Petersburg and Roanoke, and from the counties of Henrico, Fauquier, Rockbridge, Mecklenburg, Accomac, Warwick, Norfolk, Loudoun, Washington, Amherst, Rockingham, Nelson, Pittsylvania, Frederick and Chesterfield.

Nine of the boys were confined in the penitentiary, and were committed to us on conditional pardons by the Governor.

It appears from the foregoing that the growth of the school has been rapid; that its work is in no respect local, and that the maintainance of such a school in this State is now a necessity.

It is most probable that, when the existence of the school is better known throughout the State, its growth will continue to be rapid.

RESULTS ACCOMPLISHED.

The object of the school is not punishment, but discipline and instruction.

To accomplish this, religious instruction is had, reading, writing and arithmetic are taught, and an industrial education is given the boys. Sixty-four per cent. of

the boys sent us were unable to read and write, and a much larger percentage of them had no occupation. During their stay at the school, the average time being one year, seven months and twenty-six days, they learn to read and write, and are taught farming, shoe-making, carpentering, tailoring and collar-making in a practical manner.

All the shoes and clothing used in the school are made by the boys, and all repairs to the buildings are done by them. They also do all the farm work.

During the last three months, Messrs. Wright & Stokes, of this city, commenced the manufacture of horse collars in the factory building of the Association, and employ forty-five of the boys in this work.

The Association continues to look after the boys after their discharge, and the result of this oversight is most encouraging, since it shows that 83½ per cent. have a good record after leaving the school.

When it is considered that the boys committed to our custody are in large part criminals, it is gratifying to know that the efforts of the Association to reclaim them has been so successful.

EXPENSES OF THE SCHOOL.

The fact that the boys are not confined as criminals, but are taught as scholars in a school, and are also required to do the manual labor of farming, tailoring, collar-making, etc., necessitates the employment of a large force of teachers and guards, at a large cost to the Association.

During the first two or three years of the school, the amount received from the State, which is based on the number of boys in our custody, was not, owing to the small number of boys which we had and the heavy expense of the employment of a superintendent, teachers and guards, sufficient to meet our expenses. Added to this yearly deficiency was a large debt contracted in the purchase of our farm.

To pay the debt thus created, the Association has had no funds other than those derived from private contributions, membership fees, and its receipts from the work done by the boys in the factory. From these sources, the Association has paid a large part of its expenses and of the purchase-money of the farm.

To pay the balance of the debt thus created, the Association has only these sources of payment, and it confidently expects from them to discharge all of its indebtedness during the next two years.

To pay accruing expenses of the school, the Association has only what it receives from the State.

This amount will not be sufficient to pay the expenses of the school by about \$1,000 a year, and the Association therefore asks that an annual appropriation of \$1,000 be made to the Association during the years 1896 and 1897.

When the old debt of the Association is paid as indicated, the Association is satisfied that the receipts from the factory will be sufficient to do away with the necessity of an annual appropriation after 1897.

NEW BUILDING.

There is great need for a new building in order that we may have sufficient sleeping accommodations for the boys.

Although the factory building has been leased to Wright & Stokes as a collar factory, yet our need of sleeping accommodations is so great that we have been compelled to use the second floor of the factory as a dormitory.

If the school continues to increase, we will be practically without means to house

the boys, and it is therefore desirable to erect a building sufficiently large to provide for the probable increase of the next five years.

We also need more school-rooms and more room for our laundry, tailor shop, etc.

A new building costing \$10,000 will meet all of the above needs, and we therefore ask for that amount.

ADDITIONAL LEGISLATION.

The Association needs additional legislation in order to fully accomplish its objects.

This additional legislation will be embodied in an act, to be presented to you by a committee appointed for the purpose, and it is hoped will meet with your favorable consideration.

By order of the Board.

JAMES CASKIE,
President.

Richmond, November 15th, 1895.

REPORT
OF
THE COMMISSION
CONSTITUTED UNDER JOINT RESOLUTION OF THE
GENERAL ASSEMBLY OF VIRGINIA,
TO PROVIDE FOR
ADJUSTING WITH THE STATE OF WEST VIRGINIA THE PROPORTION
OF THE PUBLIC DEBT OF THE ORIGINAL STATE OF VIRGINIA
PROPER TO BE BORNE BY WEST VIRGINIA.

RICHMOND, VA., JANUARY 28, 1896.

To the General Assembly of Virginia :

The undersigned, your Commission constituted under joint resolution of your General Assembly, entitled "A joint resolution to provide for adjusting with the State of West Virginia the proportion of the debt of the original State of Virginia proper to be borne by West Virginia, for the application of whatever may be received from West Virginia to the payment of those found to be entitled to the same," approved March 6th, 1894, beg leave to report their proceedings up to this date.

There being no session of the Legislature of West Virginia until January 1st, 1895, your Commission did not convene until the 26th day of November, 1894, when they held their first meeting in Richmond, Va., at which all the members of the Commission were present, and they then organized by the election of a chairman and secretary.

The fact that the Commission was organized and ready to proceed under the joint resolution above named was made public through the press of the city of Richmond.

At another meeting of the Commission, held at Richmond on the 18th day of December, 1894, and also subsequently thereto, Mr. H. C. Fahnestock, an official of the First National Bank of New York, appeared before your Commission on behalf of that institution and submitted the following papers :

(1) A contract between one B. E. Walker, of the first part, and said Bank, on behalf of itself and other holders of certificates issued by Virginia, in regard to West Virginia's proportion of the debt of the original State, of the second part, and the Farmers' Loan and Trust Company of New York, as the depository of the certificates, by which it was provided that these certificates might be deposited in the said Trust Company and receipts given therefor; and a certain committee named in said contract was authorized to make such settlement and disposition (within certain limits) of the certificates so deposited as they might deem proper. A copy of this contract bearing date June 19th, 1890, is herewith filed.

(2) A communication from the above-named committee, giving the assurances required in said joint resolution of your General Assembly (which, as the said contract then stood, were accepted by your commission as satisfactory), and authorizing your Commission to make such settlement and disposition of the certificates so deposited as said committee, under their powers, could make, together with a letter to the same effect from said Fahnestock individually, as a holder of \$100,000 of said certificates. Copies of these communications, dated December 13th, 1894, are also herewith filed.

(3) An agreement between the said Fahnestock and others as a committee and Robert B. Dodson for himself and others, certificate holders, dated December 23d, 1894, providing for a further deposit of certificates in said Trust Company upon substantially the terms above named, together with the communication from said committee of the same date, investing your Commission with the same powers as were conferred upon them by the committee first named. Copies of this last named agreement and communication are also herewith filed, and there were deposited thereunder the amount of \$101,146.59 of certificates.

(4) A statement in writing from said Trust Company, showing the amount of such certificate as deposited with them, and subject to the control of said committee and of your Commission under said contract of June 19th, 1890, to be \$7,700,728.30, which, with said Fahnestock's \$100,000 and the \$101,146.59 above referred to, made up \$7,901,874.84 in all placed under the control of your Commission as aforesaid. A copy of this communication, dated December 13th, 1894, is also herewith filed.

Your Commission then caused to be made up a statement of all the certificates outstanding, which they ascertained to be \$15,520,057.43, exclusive of those held by the Literary Fund and the Board of Sinking Fund Commissioners of the State, which amounted to \$2,678,208.68, and by which statement it appeared that more than a majority of all of said certificates (exclusive of those held by the Literary Fund and Sinking Fund Commissioners) were deposited with the said Trust Company as above stated, and were thus under the control of your Commission, as required in said joint resolution.

Your Commission thereupon informed His Excellency, Governor Charles T. O'Ferrall, that they were ready to treat with the authorities of West Virginia for a settlement as provided in said resolution; and he thereupon advised the governor of West Virginia of the fact by a communication dated January 7th, 1895, a copy of which is herewith filed; and in which the respective duties and obligations of this State and West Virginia, in regard to these certificates, are so clearly and ably presented that your Commission deem it unnecessary to discuss them further than to advert to the fact that, although the State of West Virginia, when formed, included within her limits approximately one-third of the territory and one-fourth of the population of the original State, and was certainly *prima facie* bound for some portion of the liabilities of the original State then outstanding—

yet she has wholly failed to assume or provide for any portion of the heavy debt which fell upon the present State on its dismemberment, or to make any settlement or adjustment of this *prima facie* liability; but has left the present State to bear the whole burden, and has, as hereinafter shown, declined even to enter into negotiations on the subject.

This communication from Governor O'Ferrall was, by the governor of West Virginia, laid before the Legislature of that State, but no committee was appointed by that body to meet your Commission, nor any action taken or response made by them on behalf of their State.

Your Commission did, however, learn that a resolution had passed the West Virginia House of Delegates, and was pending before the Senate of that State, in which it was assumed that your Commission could not treat for a settlement except upon the basis of West Virginia's paying one-third of the original debt, which assumption being erroneous, your Commission addressed a communication to the President of the said Senate to the effect that such was not the basis upon which it was proposed to treat, but that your Commission were ready to enter upon negotiations upon any just and equitable basis; and, if desired by the West Virginia Legislature, would make an adjustment upon the basis of the Wheeling ordinance passed by the Convention at Wheeling on the 20th day of August, 1861. No response was made to this communication save the formal acknowledgment of its receipt by the President of the Senate, accompanied by the statement that he had laid it before that body. Your Commission are informed that no further action was taken by the Senate on said resolution.

There will be no further meeting of the West Virginia Legislature (unless called in extra session) until the first of January next.

Your Commission herewith files a copy of a communication from the Farmers Loan and Trust Company, dated January 11th, 1896, showing that the amount of certificates now on deposit with them, under the contracts referred to, is, in all, \$9,922,228.30, together with a small amount of sterling certificates, and that there has been an increase in the amount deposited since your Commission was organized.

The travelling expenses of your Commission, and the expense of the clerical work done for them, have been borne by the certificate holder's committee. No charge has been made by the Commission for their services.

It is our sad duty to report the death of our much esteemed associate, the Hon. Taylor Berry, of Amherst county, a member of this Commission, which occurred at an early date in this present month.

JOHN B. MOON,
H. T. WICKHAM,
H. D. FLOOD,
RANDOLPH HARRISON,
H. H. DOWNING,
W. F. RHEA.

Attest:

Jos. BURTON, *Secretary*.

LETTER OF GOVERNOR O'FERRALL.

COMMONWEALTH OF VIRGINIA,

EXECUTIVE DEPARTMENT,

RICHMOND, January 7, 1896.

To His Excellency, WILLIAM A. McCORKLE,
Governor of the State of West Virginia, Charleston, W. Va.:

SIR:

The General Assembly of Virginia, at its last session, passed a joint resolution, which was approved March 6, 1894, entitled a "Joint resolution to provide for adjusting with the State of West Virginia the proportion of the public debt of the original State of Virginia proper to be borne by West Virginia, for the application of whatever may be received from West Virginia to the payment of those found to be entitled to the same;" and as requested therein, I now have the honor to communicate the same to you, and through you to the Legislature of your State. (See certified copy appended hereto.)

It is with pleasure that I recall the fact that from the formation of the State of West Virginia to the present time, the State has recognized her obligation to meet and dispose of the question of the old debt of Virginia in an equitable manner. As a prerequisite for her admission into the Union, she agreed to pay a just proportion of the public debt of the Commonwealth of Virginia prior to the first day of January, 1861. The ordinance of the Convention which met in Wheeling in 1861 besides providing for the formation of a new State out of a portion of the territory of Virginia, contained this provision: "The new State shall take upon itself a just proportion of the public debt of the Commonwealth of Virginia prior to the first day of January, 1861, to be ascertained by charging to it all State expenditures within the limits thereof, and a just proportion of the ordinary expenses of the State Government since any part of said debt was contracted, and deducting therefrom the moneys paid into the treasury of the Commonwealth from the counties included within the said new State during the same period." In her first Constitution, which was ratified by a vote of her people in 1863, she again recognized her obligation to assume an equitable proportion of said debt. Article VIII., section 8, provides as follows: "An equitable proportion of the public debt of the Commonwealth of Virginia, prior to the first day of January, in the year 1861, shall be assumed by this State; and the Legislature shall ascertain the same as soon as may be practicable, and provide for the liquidation thereof, by a sinking fund sufficient to pay the accruing interest, and redeem the principal within thirty-four years." Her Constitution of 1872 contains these provisions—Article X., section 4: "No debt shall be contracted by this State, except to meet casual deficits in the revenue, to redeem a previous liability of the State," etc., etc. Section 5: "The power of taxation of the Legislature shall extend to provisions for the payment of the State debt and interest thereon," etc.

After years of trouble and vexation, under an act approved on the twentieth day of February, 1892, Virginia has concluded negotiations with the creditors of the State whose claims existed prior to the first day of January, 1861, as to the equitable proportion of the same to be borne by her, and a full and final settlement has been made by her with said creditors, but the amount which the State of West Virginia should pay is still unascertained, and can only be adjusted by the action of her General Assembly.

The creditors, learning that your State was not willing to negotiate with them without the privity of Virginia, have insisted that it was incumbent upon Virginia to undertake to effect a settlement. Responding to these solicitations, the General Assembly of this State passed the joint resolution which I now communicate. In taking this action, I beg to assure your Excellency that there was no disposition whatever upon the part of Virginia to interfere with the prerogative of the Executive and Legislature of West Virginia to deal with the question as to them may seem proper. Virginia has simply endeavored to remove the difficulties which appear to have been in the way, and to place it within the power of West Virginia to make a satisfactory adjustment.

The Commission created by the joint resolution is composed of the following named gentlemen—the first six chosen by the Senate and House of Delegates, and the seventh appointed by me: Hons. Taylor Berry, H. T. Wickham, H. D. Flood, John B. Moon, H. H. Downing, Randolph Harrison, and William F. Rhea. The Commission has been duly organized by electing Hon. John B. Moon Chairman, and has made the following report to me:

*"To His Excellency, Hon. C. T. O'FERRALL,
Governor of Virginia:*

SIR:

The Commission constituted under the joint resolution of the General Assembly of Virginia, entitled "A joint resolution to provide for adjusting with the State of West Virginia the proportion of the public debt of the original State of Virginia proper to be borne by West Virginia," etc., approved March 6, 1894, beg leave to report to your Excellency that the holders of a majority in amount of the certificates referred to in said resolution (exclusive of those held by the State through the agency of the Board of Education and Sinking Fund Commissioners), have given to the Commission the assurances required by said resolution, that they desired the Commission to enter into and undertake the negotiations contemplated in said resolution, and will accept the amount as ascertained by the Commission to be paid by the State of West Virginia in full settlement of their claims as specified in said resolution; and the assurances so given are satisfactory to the Commission, and they are now ready and authorized under the terms of said resolution to enter into and undertake the negotiations contemplated in said resolution.

It should be added that the assurances aforesaid are, of course, open to examination by the Governor of West Virginia, and the proper authorities of that State.

Very respectfully,

(Signed) JOHN B. MOON, *Chairman.*

Richmond, Va., January 2, 1895."

Now, submitting the whole matter, and expressing the hope that this question which has so long been a subject of discussion and a source of more or less embarrassment to both States, will be speedily determined and finally settled,

I have the honor to remain, yours most respectfully,

CHAS. T. O'FERRALL,
Governor of Virginia.

(Copy.)

[Copy.]

EXHIBIT B.

This contract, made June 19th, 1890, between B. E. Walker, of the first part, and the First National Bank of the city of New York, and such other holders of the certificates herein described as may accept the provisions of this contract in the manner hereinafter provided, of the second part.

Whereas, the State of Virginia has issued certain evidences of debt known as "Virginia Deferred Certificates," which represent that portion of the funded debt of Virginia which it was assumed should be provided for by the State of West Virginia.

Witnesseth that the parties hereto agree :

1. That the party of the first part, will, at his own expense, do what he lawfully may to bring about a settlement for such of said Certificates as may be deposited under this contract with the Farmers' Loan and Trust Company of New York.

2. The Farmers' Loan and Trust Company having heretofore issued its Certificates under a former contract in substance as follows :

No.....	Virginia Deferred Certificates. Receipt of The Farmers' Loan and Trust Co., City of New York.	\$.....
		.....188

This certifies that The Farmers' Loan and Trust Company has received fromthe following Certificate... issued by the State of Virginia on account of that part of her funded debt assumed to be the proportion of West Virginia, to-wit: Certificate No.....issued.....18.....to.....for \$..... Aggregating \$.....

And the Farmers' Loan and Trust Company agrees to hold said Certificate... in accordance with the terms of that certain contract, dated November 6, 1882, between Soutter and Company of the first part, and the First National Bank of New York, and such other holders of "Virginia Deferred Certificates" as may deposit same under said contract with the Farmers' Loan and Trust Company of the second part, the said contract being filed with said company and made part thereof. This receipt is negotiable and all the interest of the owner of said Certificates passes by the delivery hereof.

The Farmers' Loan and Trust Company,
by.....President.

The acceptance of the terms of this contract by the owners of "Virginia Deferred Certificates," who have heretofore deposited the same with the Farmers' Loan and Trust Company, or may hereafter deposit them, shall be evidenced by holders permitting the receipts of the Farmers' Loan and Trust Company to be stamped as follows.

"The contract of November 6, 1882, under which this Certificate was issued, having expired, the holders hereof waive all rights under the same, and this Certificate is re-issued under the terms of a new contract of June 19, 1890"

3. The Farmers' Loan and Trust Company is hereby invested with authority to sell or exchange the Certificates so deposited for such moneys or new securities as may be tendered for said Certificates, provided the amount tendered shall not be

less than a minimum sum to be hereafter fixed by the joint, unanimous and written assent of B. E. Walker, the First National Bank of New York, and George T. Rait, Chairman of the London Committee for Virginia Deferred Certificates, or such other person as may be appointed by said committee to act in the stead of said Rait, and the said minimum sum may be fixed in writing at any time after the date of this contract, and before the date of the final adjustment of the indebtedness named, and when so fixed shall be final and binding on all parties to this agreement, but by the unanimous consent, given in writing, of the three parties fixing said minimum sum, or of those appointed to act in their stead, it may be changed without lessening the obligations of any of the parties under this contract.

4. B. E. Walker, acting for and representing the holders of said receipts, is authorized to make, subject to the provision of the preceding section, any arrangements as will in his judgment best promote the interest of such holders.

5. When any settlement is had, the Farmers' Loan and Trust Company shall deliver to the holders of its receipts an amount of money or new securities, equal to thirteen per centum of the face value of the said receipts, and also fifty per centum of the residue of such moneys or securities as may be received in settlement, and shall deliver to B. E. Walker, or his successor, the balance of said money or securities as his own property.

6. That B. E. Walker, George T. Rait, and the First National Bank, or the majority or survivor of them may appoint another person as associate of B. E. Walker, who shall, upon his appointment made in writing, be vested with joint power, authority, rights, and discretion with said B. E. Walker under this agreement, subject, however, to all agreements made by said Walker prior to such appointment and that in the case of the death, resignation, or incapacity to act of B. E. Walker, before the appointing of such associate, then the said Bank and George T. Rait, or the survivor of them may appoint a successor or successors of said Walker, who upon his or their appointment in writing shall be vested with the same power, rights, and discretion as the said Walker shall have at the time of his decease, subject, however, to all agreements made by said B. E. Walker prior to such appointment.

7. The holder of any receipt of the Farmers' Loan and Trust Company may withdraw his Certificate at any time after June 15, 1895, without costs to him; provided he deliver up the receipt corresponding to his Certificate.

8. If subsequent to the 15th day of December, 1890, a sufficient amount of the Certificates have not been deposited as aforesaid, to warrant in the opinion of B. E. Walker, the further prosecution of this movement, he may rescind this contract, and if he elect to do so, he shall forthwith file with the Farmers' Loan and Trust Company a notice that the contract has been rescinded, which notice shall be published by B. E. Walker once a week, for at least three successive weeks, in such newspapers of New York city and London as may be selected by the First National Bank, and George T. Rait, or the person appointed as aforesaid in his stead, and upon such rescission the said company will deliver the Certificates to the holders of the receipts without cost to them.

In testimony whereof, the said B. E. Walker and the First National Bank of New York have hereunto set their hands.

(Signed) B. E. WALKER.

First National Bank of New York,

(Signed) J. A. GARLAND, V. P.

Virginia, for the application of whatever may be secured from West Virginia for the payment of those found to be entitled to the same," approved March 6, 1894, we desire to communicate with your honorable body in respect to the certificates issued by the State of Virginia in regard to the proportion of the said debt to be borne by West Virginia, and usually known as "West Virginia certificates," and referred to in said resolution, and to offer to your Commission the assurances with respect to the same provided for in said resolution.

To that end, we will respectfully state :

1. That certificates as aforesaid to the amount of \$9,657,033.38 have been deposited with the Farmers Loan and Trust Company of New York, and are now held by that institution subject to the control of the undersigned under the provisions of contracts dated November 6, 1882, and June 19, 1890. Copies of said contracts are hereto attached as a part hereof, as is also the certificate of the said Farmers Loan and Trust Company, showing that it holds the amount of the West Virginia certificates aforesaid, and that it will, in pursuance of the authority vested in it under said contracts, surrender the said certificates in accordance with the terms and provisions of said contracts.

2. It will be observed by reference to said contracts, that the undersigned, acting jointly and unanimously, have authority to sell or exchange the certificates so deposited for such moneys or new securities as may be tendered for said certificates, provided the amount tendered shall not be less than the minimum sum fixed in said contracts. The undersigned, acting by virtue of this authority, respectfully request your honorable Commission to proceed to negotiate with the proper authorities of West Virginia a settlement and adjustment of the proportion of the public debt of the original State of Virginia, proper to be borne by West Virginia. We desire your Commission to enter into and undertake such negotiation, and we, representing the certificates aforesaid deposited with the Farmers Loan and Trust Company, will accept the amount ascertained by your Commission as proper to be paid by the State of West Virginia, in full settlement of the one-third of the debt of the original State of Virginia which has not been assumed by the present State of Virginia. We give these assurances and make this agreement on behalf of the holders of the aforesaid nine million, six hundred and fifty-seven thousand, thirty-three dollars and thirty-eight cents (\$9,657,033.38) of certificates, which constitute a majority in amount of all of the said certificates which have at any time been issued by the present State of Virginia, exclusive of those held by the State of Virginia through the agency of the Board of Education and Sinking Fund Commissioners. We also make this agreement on behalf of the holders of any and all other certificates aforesaid, which may hereafter be deposited under the said contracts with the said Farmers Loan and Trust Company. We agree that your Commission shall in no event enter into any negotiations under the said resolution except on the basis that Virginia shall be bound only for the two-thirds of the debt of the original State, which she has already provided for as her equitable proportion thereof; and that all negotiations conducted and any settlement made by your Commission shall be in every respect upon the terms and conditions prescribed in the said joint resolution.

3. Representing the certificate-holders as aforesaid, we further agree that any and all moneys and securities realized in the State of West Virginia on account of any and all of said certificates, issued by the State of Virginia, through the negotiations conducted, or any settlement made by your Commission, shall be distributed among the holders of the several classes or the certificates aforesaid

referred to and set forth in said joint resolution, in such proportion and in such manner as your Commission shall hereafter determine and fix, or as may be agreed upon between your Commission and the State of West Virginia.

We trust that this communication may be a sufficient basis for your entering upon the negotiations contemplated.

Yours respectfully,

B. E. WALKER,
THE FIRST NAT'L BANK OF NEW YORK,
By H. C. Fahnestock, V. P.,
GEORGE T. RAIT,
By H. C. Fahnestock.

NEW YORK, DECEMBER 13, 1894.

To the Commissioners :

GENTLEMEN :

In addition to the West Virginia certificates referred to in the foregoing communication, I desire to submit to your control and management, subject to all of the provisions and conditions of the joint resolution under which you are acting, adopted by the Legislature of Virginia, one hundred thousand dollars of certificates. As to this one hundred thousand dollars, I personally give all the assurances and make all the agreements set out in the said foregoing communication, and the said one hundred thousand dollars of certificates will be produced subject to the order of the Commissioners whenever desired.

Very respectfully,

H. C. FAHNESTOCK.

Agreement made this twenty-second day of December, 1894, between H. C. Fahnestock, of New York, E. D. Christian, of Richmond, Virginia, and George T. Rait, of London, England, parties of the first part, and Robert B. Dodson, of New York, and such other holders of the Certificates herein described as may accept the provisions of this agreement in the manner hereinafter provided, parties of the second part.

Whereas, there have heretofore been deposited with the Farmers' Loan and Trust Company of New York, Certificates of the face value of about ten million dollars, known as Virginia Deferred Certificates, issued by the State of Virginia under its act of Assembly dated March 30, 1871, subject to the provisions of a certain contract between B. E. Walker and the holders of said Certificates, dated June 19, 1890.

And whereas, said Walker has at his own cost, pursued negotiations until there is now a reasonable prospect that a settlement of the said indebtedness will be reached, therefore it is now agreed by the parties hereto :

First. That the said Fahnestock, Christian and Rait, or a majority of them, or their successors, shall pursue and carry on, at their own expense, negotiations for the benefit of the parties depositing under the present agreement Certificates representing other indebtedness of the State of West Virginia, issued under acts of the General Assembly of the State of Virginia, approved March 28, 1879, February 14, 1882, and February 20, 1892.

Second. That holders of certificates issued under the several acts of Assembly of Virginia, above named, may deposit the same with the Farmers' Loan and Trust

Company, of the city of New York, receiving therefor negotiable receipts of the said Trust Company and thereby become parties to this agreement.

Third. That the parties of the first part shall conduct their negotiation conjointly with that heretofore commenced by B. E. Walker, and are authorized to receive in settlement of said Certificates whatever proportionate sum in money or securities shall be awarded to the holders of these several classes of Certificates respectively by the State of West Virginia, or by the commissioners appointed, and to be appointed by the State of Virginia and West Virginia, or that may be accepted by the parties hereto of the first part.

Fourth. The parties of the first part, acting for and representing the holders of said receipts, are authorized to make any arrangement that will, in their judgment, best promote the interest of the holders.

Fifth. When any settlement is reached, the Farmers' Loan and Trust Company shall deliver to the holders of its receipts issued hereunder the ratable proportion of money or new securities to which they shall be respectively entitled after deducting as a contribution to the expenses of the negotiation the same percentage upon the amount collected that is received by B. E. Walker from the holders of Virginia Deferred Certificates of 1871, deposited under contract with him.

Sixth. The amount so deducted in money or securities shall be paid over by the Farmers' Loan and Trust Company to the parties of the first part to be disposed of in such manner as they may determine.

Seventh. In the event of failure to arrange for a settlement before the adjournment of the next session of the General Assembly of Virginia, the holder of any receipt of the Farmers' Loan and Trust Company, issued hereunder, may withdraw his Certificate without cost to him upon surrender of the corresponding receipts.

Eighth. In case of any vacancy from time to time in the committee, parties of the first part, arising from resignation, refusal to serve, or any other reason, the remaining members of the committee may fill such vacancy, and the new member of the committee shall have the same power, right and authority as if named in this agreement. The said committee may at all times and in all matters act by a majority, and the acts of such majority shall have the same effect as if done by the three members of the committee.

In witness whereof, the parties hereto have signed their names.

(Signed) H. C. FAHNESTOCK.

(Signed) E. D. CHRISTIAN.

(Signed) GEO. T. RAIT.

(Signed) ROBERT B. DODSON.

In consideration of a compensation for its services, secured to it by the parties of the first part, the Farmers' Loan and Trust Company hereby accepts the within trust and agrees to execute the same.

The Farmers' Loan and Trust Company, by

(Signed) W. D. SEARLS, *Vice-President*.

COMMUNICATION OF THE CERTIFICATE HOLDERS' COMMITTEE.

NEW YORK, December 22, 1894.

HON. JOHN B. MOON, *Chairman, &c.*:

Dear Sir,—In response to the application of certain holders of Virginia Deferred Certificates issued under acts of the General Assembly of Virginia, of date subsequent to 1871, the Farmers' Loan and Trust Company, of New York, has consented to receive deposits of these later issue Certificates, for the purpose of including them in the settlement to be negotiated by your Commission with the State of West Virginia.

These Certificates are deposited subject to the control of a committee consisting of H. C. Fahnestock, of New York; E. D. Christian, of Richmond, Virginia, and George T. Rait, of London, England, with the intention of pursuing their settlement in harmony with the movement of a committee representing the 1871 Certificates who have already placed themselves in communication with your Commission.

We beg to hand you herewith a copy of the agreement dated December 22, 1894, under which the aforesaid Certificates are received, and representing any and all Certificates which have been or may be deposited under the said agreement, we request the action of your Commission, and do hereby give all the assurance, and agree to all the terms and conditions set out in the communication made to your commission under date of December 13, 1894, by Messrs. B. E. Walker, H. C. Fahnestock, vice-president of the First National Bank of New York, and George T. Rait, representing Certificates issued under the act of the General Assembly of Virginia of 1871.

Respectfully,

H. C. FAHNESTOCK,
E. D. CHRISTIAN,
of Committee.

COMMUNICATION OF FARMERS' LOAN AND TRUST COMPANY.

NEW YORK, December 13, 1894.

J. C. MABEN, Esq., *Chairman Adjustment Committee Virginia Deferred Certificates, 24 Broad Street, New York:*

Dear Sir,—We herein certify that we hold Virginia Deferred Certificates issued under the act of 1871, to an extent of \$9,657,033.38, as follows, viz.:

Under and in accordance with the terms and conditions of an engagement made November 6, 1882 (a copy of which is hereto attached, marked "Exhibit A,") \$1,956,305.08.

Under and in accordance with the terms and condition of a supplemental agreement, dated June 19, 1890, (a copy of which is hereto attached, marked "Exhibit B,") \$7,700,728.08.

Yours very truly,

The Farmers' Loan and Trust Company, by
W. D. SEARLS, *Vice-President.*

(Copy.)

THE FARMERS' LOAN AND TRUST COMPANY,

16, 18, 20 AND 22, WILLIAM STREET,

New York, January 11, 1896.

H. C. FAHNESTOCK, Esq.,

Vice-President First National Bank of New York:

DEAR SIR:

I beg to acknowledge receipt of your letter of January 9th, 1896, respecting the Virginia deferred certificates now on deposit in this Company under the provisions, respectively, of the agreements of November 6th, 1882, June 19th, 1890, and December 22nd, 1894.

In reply to your inquiry, we state, for the information of the Commission, that the several amounts of the said certificates now on deposit in the Farmers' Loan and Trust Company, subject to the provisions of the various agreements, respectively, are as follows:

There were deposited, under the first agreement.....	\$8,416,621 23
Of which.....	7,260,247 56

Were stamped and placed under the provisions of the second agreement of June 19th, 1890; leaving unstamped.....	1,156,373 67
---	--------------

There were deposited, under the second agreement.....	\$1,404,460 48
Which, with the above amount of.....	7,260,247 56

Makes the total amount of certificates now held by us under the provisions of the second agreement.....	\$8,664,708 04
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There were also deposited, under an agreement of December 22nd, 1894 (being certificates of other indebtedness of West Virginia).....	\$101,146 59
---	--------------

Which amounts are held under the provisions of the agreements of June 19th, 1890, and December 22nd, 1894, respectively.

We also state that, until the receipt of instructions to the contrary from your committee, we shall continue to receive further deposits of such certificates.

Yours very truly,

(Signed)

THE FARMERS' LOAN AND TRUST CO.

By R. G. ROLSTON, *Vice-President.*

Total amount deposited.....	\$10,083,390 06
Amount withdrawn.....	161,161 76

Total amount on hand January 11th, 1896.....	\$9,922,228 30
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Held under first agreement stamped.....	\$7,260,247 56
---	----------------

Held under second agreement stamped.....	1,404,460 48
--	--------------

Held under third agreement Dec. 22, 1894.....	101,146 59
---	------------

	\$8,765,854 63
--	----------------

Held under first agreement not stamped.....	\$1,156,373 67
---	----------------

	\$9,922,228 30
--	----------------

There are also deposited:

Under first agreement, sterling certificates.....	£363 6 8
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Under agreement Dec. 22, 1894.....	£370 0 0
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LETTER OF J. L. M. CURRY

AND

RESOLUTIONS

EMPOWERING THE GOVERNOR TO ENTER INTO CORRESPONDENCE
WITH THE EXECUTIVES OF THE SEVERAL SOUTHERN
STATES, WITH A VIEW TO PERPETUATING THE
MEMORY OF GEORGE PEABODY.

To the General Assembly of Virginia:

The undersigned, a citizen of Virginia, would respectfully represent to your honorable bodies, that in 1887 George Peabody, a citizen of Massachusetts, made a munificent gift of \$3,000,000 "for the promotion and encouragement of education among the young of the more destitute portion of Southern and Southwestern States of our Union," "those portions of our beloved and common country which have suffered from the destructive ravages, and the not less disastrous consequences of civil war." This money was placed in the hands of distinguished persons, who have since sacredly devoted the income to the purpose of the trust. In the Board Virginia has from the beginning had Representatives William C. Rives, A. H. H. Stuart, and William Wirt Henry. The first regular meeting after organization was held in Richmond, and from that time to this Virginia has shared liberally in the benefits of the fund. Richmond, Petersburg, Norfolk, Portsmouth, Hampton, Manassas, Winchester, Lynchburg, Alexandria, Staunton, Fincastle, Lexington, Manchester, Wytheville, Harrisonburg, Danville, Woodstock, Strasburg, Palmyra, Marion, Buchanan, Culpeper, Leesburg, Bristol, Independence, Charlottesville, Fredericksburg, Bridgewater, Warrenton, Christiansburg, Salem, Bedford City, Berryville, Scottsville, Blacksburg, Waynesboro, Chincôteague, Abingdon, the counties of Floyd, Wythe, Louisa, Buckingham, Tazewell, Fluvanna, Powhatan, Bland, and other counties and places, including nearly every part of the State, have received substantial help.

HELP TO NORMAL SCHOOLS.

The colored normal schools of Hampton and Petersburg get regular annual assistance. The Farmville school, from its genesis, even before its birth, has excited the special interest of the trustees, and the favor bestowed has not for a moment been intermitted. The sums donated to Virginia, including the present year, will aggregate nearly \$312,000. The institutes for white and colored teachers have

been mainly, for a time exclusively, sustained by Peabody's appropriations. Over two hundred and fifty students from the State, as beneficiaries at the Peabody Normal College, selected by the superintendent after competitive examination, have been trained as teachers, and many of them are doing excellent work in the public schools and institutions of learning.

I am sure the living State superintendents—Ruffner, Buchanan, and Massey—will cheerfully sustain me in the assertion that the fund has been a most potent auxiliary in building up our admirable school system.

What is true of Virginia is true in a greater or less degree of all the Southern States, except Maryland, Kentucky, and Missouri, which have not been recipients of any portion of the income. Mr. Peabody, coming to us in our hour of need and despair, may well be called the South's greatest benefactor.

A MEMORIAL SUGGESTED.

For several years the undersigned, in public address and in reports as general manager of the fund, has suggested and urged that the southern States would do a grateful and proper act if they would combine and erect, by joint contribution, a statue of marble or bronze in honor of Mr. Peabody, and place it in the old hall of the House of Representatives, in Washington city. The time for doing this is most propitious. The Governor of South Carolina, in a recent message, uses this patriotic language: "It will be a grateful act, and a recognition of his benevolence for the Southern States, to join in erecting a statue of this great philanthropist, to be placed in the Capitol, among those of our country's heroes and statesmen. I would respectfully recommend that you pass a joint resolution empowering the Governor of this State to correspond with the Governors of the other Southern States with a view to carrying out this suggestion in paying tribute to our common benefactor."

Virginia would honor herself and appropriately voice the gratitude of her people if the General Assembly will promptly and with enthusiasm respond to the recommendation of her sister States.

J. L. M. CURRY.

January 24, 1896.

Whereas, By the munificence of George Peabody, the State of Virginia has received from the custodians of the fund left for educational purposes, a large amount of money, aggregating over \$300,000, which has materially aided the State in the education of teachers for the public schools of the State; and

Whereas, The memory of George Peabody should be perpetuated by all true lovers of philanthropy, and unselfish generosity;

Resolved by the Senate (the House of Delegates concurring) That the Governor be requested to enter into correspondence with the Executives of the several Southern States, who have been the recipients of this bounty, with a view of taking some united action to perpetuate the memory of this distinguished philanthropist.

Resolved, That the Governor be requested, if possible, to report the result of his correspondence before the adjournment of the present session, with such recommendations as he may suggest.

REPORT

OF THE

Joint Committee

APPOINTED TO INVESTIGATE THE

SUBJECT OF ADMISSION OF PATIENTS INTO THE
INSANE HOSPITALS OF THE STATE.

To the General Assembly of Virginia :

Your committee, appointed under the following joint resolution adopted by the Senate on March 3, and by the House of Delegates on March 5, 1894—

“Resolved (the Senate concurring), That so much of Governor McKinney's late message as refers to the admission of patients into the insane hospitals of the State, and the report of the commission appointed by him to investigate the subject, be referred to a committee of three members of the House of Delegates and two of the Senate, who shall report thereon to the next General Assembly; said committee shall also revise the laws now upon the statute books governing the hospitals of the State, and make such recommendations as they deem advisable,” beg leave to report: That acting under and in pursuance of the said joint resolution, they held four meetings at the Capitol. Upon investigation, Drs. James D. Moncure, Superintendent of the Eastern State Hospital; B. Blackford, Superintendent of the Western State Hospital; William F. Drewry, Assistant Superintendent of the Central State Hospital, and W. W. Parker, of Richmond, Va., appeared before and addressed the committee, giving them the benefit of their views on the subject under consideration, and, together with Drs. R. J. Preston, Superintendent of the Southwestern Hospital; E. T. Brady, Chatham Hill, Va., and John S. Apperson, of Marion, Va., filed exhaustive papers on the subject; for which valuable information contained therein your committee beg to acknowledge their indebtedness, and herewith file said papers as part of their report, marked Exhibit “A.”

Your committee had compiled for their use a synopsis of the laws governing lunacy and the institutions for lunatics in the States of Massachusetts, New York, Maryland, and Alabama, which they herewith file as Exhibit “B.”

Your committee have with great care considered the report of the commission appointed by the Governor of Virginia in reference to the State lunatic asylum, and we most heartily commend them for the work and the care they have evinced in the subject referred to them; and while we cannot approve of their report as a whole, still there are several subjects recommended by them which we have adopted, principally as to the change of the present unwieldy and expensive magisterial system of admitting lunatics into the hospitals. They also recommend that a central commission for the management of all hospitals would add much to the efficiency and economy in the taking care of the insane in the State; but as this subject has heretofore been brought to the attention of the General Assembly, we make no recommendation as to such a change, but we ask that the matter be given your careful consideration.

With the testimony before us, we cannot agree with the commission that the so-called harmless patients should be placed under one management, as it has been demonstrated by those who have had constant care of such patients, that those who are deemed most harmless are at times the most violent and dangerous in the hospital, and that incalculable harm might result by placing them by themselves without sufficient attendance and supervision.

While there are probably many patients in the hospitals who should be in the care of the counties, we think that that has been caused by proper care not having been taken by the commission of justices in certifying many weak-minded persons as being insane, and the law requiring superintendents to examine and pass upon the condition of patients immediately upon their arrival at the hospital before they have had time to be calmed from the excitement incident to their movement thereto.

We would call attention to the fact that in other States separate hospitals are provided for idiots and weak-minded patients. Some of these classes are in our hospitals, but the promptings of humanity compels us to permit them to remain instead of returning them to their homes to be confined in the jails and poor-houses of their respective counties.

Your committee would most urgently recommend that all insane patients should be immediately sent to one of the hospitals at the earliest possible moment, instead of being kept in jail, as all the testimony upon the subject shows that it is of the utmost importance for a patient to receive proper medical treatment as soon as possible, thereby increasing his chances of recovery.

Governor McKinney, in his message submitted to the General Assembly in December, 1893, fully sustains the position taken by this committee in recommending a change in the formation of commissions, but we cannot go to such a length as he has in comparing the cost of the care and treatment of the insane with convicts confined in the penitentiary.

Insane persons and imbeciles require constant medical attention, while the strong and hearty convict does not require the aid of physicians except during occasional spells of sickness.

Your committee have carefully examined the cost of taking care of the lunatics in the various States, and find that the cost in Virginia is probably as small as in any of the States in the Union, yet we would recommend that the utmost care be taken as to the admission of patients into the several hospitals, and that rigid economy should be enforced by the boards of the various directors having same in charge.

In order to carry out their views, your committee have prepared the accompanying bill, which they herewith submit, embracing such sections of the Code

and the acts amendatory thereof, in regard to lunatics and the care of insane persons, and amended same so as to make the whole law conform to the change of name recently enacted by the Legislature.

Section 1663 of the Code is proposed to be amended so as to require the board of each hospital to appoint an executive committee consisting of three of their own members, and allowing them, in addition to their actual travelling expenses, each \$100 per annum, and providing that the other members of the board shall receive no compensation for their services except their actual travelling expenses incurred thereby.

Section 1669, in relation to proceedings before magistrate to ascertain insanity, is proposed to be amended so that the commission shall consist of the county or corporation judge, with two physicians, one of whom shall, when practicable, be the physician of the suspected person, and shall in no manner be related to or have any interest in his estate.

By section 1671, the clerk of the court is required to act as the clerk of the commission, and keep a record of their proceedings, for which he is to receive a fee of \$1; the two physicians of \$2.50 each for their services, and the judge is allowed his actual travelling expenses.

Section 1674 is proposed to be amended requiring the superintendents of the various hospitals to examine the patient within two weeks of his admission, instead of at once, as at present, so that they may have had an opportunity to study and watch the case.

Section 1686 allows the superintendent of the hospital to issue his warrant for the arrest of escaped lunatics instead of the president of the board, who is not always on hand when the issuing of the warrant is necessary.

And the bill repeals section 1677 of the Code providing for the admission of pay patients in hospitals of the State.

Your committee is of the opinion that there should be, if possible, separate buildings in each hospital for epileptics.

And they desire to express their approval of the painstaking researches by Dr. Wm. F. Drewry, of Central State Hospital, in the method of treating epileptics, known as the Craig Colony plan, and commend it to the General Assembly as a plan full of promise for the improvement of the condition of that unfortunate class of patients, and suggest an inquiry into its workings in other States by a joint committee to be appointed at this session to investigate and report on same to next General Assembly.

Respectfully submitted,

WM. LOVENSTEIN,
W. P. McRAE,
A. S. PRIDDY.

To the Chairman and Members of the Legislative Committee :

GENTLEMEN :

With regard to the admission of patients into the State hospitals, I would respectfully recommend that instead of the present magisterial system of committing patients, a more intelligent board be appointed, consisting of either county, corporation or circuit judge and two physicians, one of whom should be the regular family physician. In this recommendation I think all the superintendents of State hospitals concur, as well as the commission appointed by Ex-Governor P. W. McKinney. This recommendation is not made because some people have in the past been improperly sent to the hospitals, as the statistics of this

hospital during a period of 27 years show that out of 2,139 admissions only 17 were pronounced *not insane* by the board of directors under the advice of the superintendent. These 17 were, as a rule, *inebriates*, whose conduct under the abuse of alcohol had rendered them liable to the imputation of being insane. I recommend the change because the papers sent by the magistrates are very often defective and useless for the purpose for which the interrogatories were established—that is, to give an antecedent history of the case of insanity, and to enable the superintendent to form some judgment with regard to the case. Another objection to the present method is the frequent deception practiced upon the patient, by not letting him know the steps being taken to send him to the State hospital, and thereby creating great difficulty for the officers to obtain his confidence, and the more speedily to allay his apprehension of being unjustly confined.

With regard to the second question submitted to the said commission, “whether there are some patients that should not be confined therein,” I would respectfully state, that both the commissions and the Ex-Governor McKinney are laboring under a serious misapprehension of the facts. The object of insane hospitals is not simply to segregate the homicidal or suicidal insane, who, fortunately, compose a relatively small number of insane, but to restore to physical and mental health those who have succumbed to the fearful affliction of insanity. Do our hospitals accomplish this great and chief purpose of their existence? In reply to this, I refer you to table second of my report of 1894. In twenty-seven years 2,139 insane were admitted to this hospital; 888 were returned to their homes as restored, 100 as improved, 91 as unimproved, 17 as not insane, 2 by order of court, 9 eloped, and 769 died. Thus we see that more than one-half were restored to positions of usefulness.

The history of the insane will show, that of annual admissions, more than 33 per cent. recover, 33 per cent. die, and the rest become chronic insane, including dangerous, homicidal and suicidal, with varying degrees of mental strength and with intervals of lucidity. In the course of years their mental strength undergoes a gradual and progressive disintegration and reach a state of imbecility. As far as I know, there are no idiots in the asylums of this State except a few who, in addition to idiocy, have become destructive and dangerous at home. Again, a number of patients who, under the careful supervision of their attendants and medical officers, remain harmless in the hospitals, but would prove dangerous if removed from these safeguards, and could not be kept in any community with safety.

As to the question of separating the acute and chronic insane, I would call your attention to the fact that alienists of this country are agreed that it is pernicious to both classes, and in nearly every State where it was adopted in the past, notably in New York, it has been abandoned, and it was found far less economical than the present system, where much of the work in asylum is done by the chronic insane. The latter require as much and as continuous attention as the acute insane, though, as a rule, less noisy and destructive.

Ex-Governor McKinney makes the statement, that 1,400 criminals only require the attention of one physician. Are the two classes thus compared at all analogous? The average sick of 1,400 criminals does not exceed thirty daily, though many feign disease to be excused from work. At the hospital 512 diseased people are to be seen twice daily and closely watched, as they have not sufficient minds to call attention to their ailments, and their nervous systems are so shattered that their only chance to recover, is to take them at once and carefully treat the disease in its incipency. All insane are diseased not only mentally, but their mental condition is dependent upon their physical health, and the great question is to discover

the connection between the mental disturbance and the physical ailment developing it.

As for the changes in the Code 1887, Chapter 75, I would suggest that section 1669 be so changed as to read after the seventh line of said section: First, (adoption of questions prepared by State superintendents).

Sec. 1674. When such patient arrives at the hospital the superintendent and his assistants shall *examine him within two weeks after his arrival*, and if they concur in opinion with the justices, shall receive and register him as a patient. Section 1677 should be stricken out and no patient be admitted unless *legally sent by a commission*.

Sec. 1681. The word idiot should be defined. Medically, an idiot is a person who is incapable of being taught, and therefore, without mind, except so far as he possesses natural instincts. An idiot is born so.

Section 1683, on fourth line, add: The board of any hospital or the *superintendent of such hospital*, or the court of any county, etc.

Section 1686, on second line: The president of the board, or the superintendent, or, if required, by any person to do so.

Section 1693, add to section: But no money will be paid for maintenance of and care of any insane person, unless accompanied by a statement of all three superintendents, if white, and of superintendent of Central hospital, if colored, that there is no room in any of the State hospitals for such patient within thirty days of the time of paying such charges.

Section 1706, on eighth line: And for one-quarter of (thirteen weeks), in advance, "the amount necessary for his support during his confinement in the State hospital."

JAS. D. MONCURE,
Supt. Eastern State Hospital.

WESTERN STATE HOSPITAL,
October 8, 1895.

GENTLEMEN OF THE COMMITTEE:

I do not think that our lunacy laws need any radical change, with the exception of the form of commitment.

I would respectfully suggest that Section 1669 be so amended as to substitute a corporation or county judge, commonwealth attorney and clerk of corporation or county court, to constitute the commission "*de lunatico enquirendo*," instead of three magistrates, as the law now stands, the commission to have authority to summons two physicians and such other witnesses as may be necessary.

I suggest that all applicants be required to go before the commission for examination before being admitted to the hospital, amendment of Section 1667.

Section 1686 to read: That the "superintendent of each hospital" instead of the president of the "board."

Section 1683 to be changed to the "superintendent of each hospital" instead of the "board."

With the above suggestion as to change in the lunacy laws, I think they will be greatly simplified.

Respectfully submitted.

BENJ. BLACKFORD,
Supt. W. S. H.

FROM DR. WILLIAM F. DREWRY, CENTRAL STATE HOSPITAL, PETERSBURG, VA.,

To Messrs. LOVENSTRIN, McRAE and others,
Joint Committee, etc. :

GENTLEMEN :

In asking my views upon the subjects which you were appointed by the legislature to investigate, you do me an unmerited honor.

The *commitment* and the *care* of the *insane*, and the *management* of *State hospitals*, are matters of too much concern to the public to be lightly considered. Yet, in the time at my command, I can only deal with them in a general way. I trust, however, my remarks will prove of some interest and value to you. Let us first direct our attention to

COMMITMENT OF THE INSANE.

It is a deplorable fact, that in the closing days of this enlightened nineteenth century, we still retain on our statute-books a law embodying the essential features of the old English Vagrant Act of colonial times, which provided that justices of the peace decide as to insanity and order of commitment. The idea of three lay officials, with no knowledge of insanity, deciding upon one of the most perplexing problems in medical science, is simply ridiculous.

When this rude procedure of adjudging one insane was adopted, the opinion prevailed that one was not insane unless he was "furiously mad," or so far "disordered in his senses as to be dangerous;" and the well-being of the so-called madman was not considered; he was incarcerated, not with a view to benefit him "by the ministration of benevolence and humanity, but to protect society from his acts of violence." The arrest and detention were matters solely for judicial consideration, as in case of an ordinary criminal, and the treatment was nothing less than cruel and inhuman.

More correct and rational views are now entertained regarding the insane. The evolution of the public opinion toward a higher and better conception of the true nature of insanity has been gradual. By the laity, as well as by the profession, insanity is almost universally recognized as a "physical disease, which affects and controls abnormally the language, conduct and natural characteristics of the individual," and, as such, should be relegated to the domain of medical science. Whenever legislative bodies have ignored the dictates of the popular ignorance and prejudice which delays professional judgment, and realized that insanity is a disease, pure and simple, there has been no difficulty in enacting adequate laws relating to the commitment and the detention, as well as scientific care and treatment of those whose reason has been dethroned.

That the insane are sick people, who are entitled to treatment and management by the most superior medical skill, is the fundamental principle that should guide legislation in all matters concerning them. The advance made in the direction of better care and treatment of the insane, and in the organization and management of insane hospitals, may be fairly demonstrated by the improved method of commitment which prevails almost everywhere.

Let us review, briefly, the various methods of procedure in committing the insane in the various States, so that we may be prepared to more intelligently form-

ulate a law for our own State. In the limited time allotted to me, it will be impossible to discuss these laws.

In four of these States justices of the peace decide as to insanity and commit. In three of the States a suspected lunatic is summarily arrested, arraigned like an ordinary criminal and his mental condition diagnosed by a jury of laymen. In three of the States commitment is on a verdict of a mixed jury of laymen and physicians. Another phase of the trial by jury of persons "suspected of insanity," found in one or two States, is where a judge appoints a commission to settle the question of mental alienation in any given case. A physician may or may not be asked to testify. In several States the judge of a court examines the patient, obtains the opinion of one or more physicians, and then passes his judgment upon the case.

All the foregoing methods are modifications, in different stages of improvement, of the original vagrant act, and entirely out of harmony with the present advanced state of knowledge of mental diseases, and of the scientific management of the insane. Certainly, the less the method assimilates to the proceedings against criminals the better.

In three States a permanent commission in each county and city, one of whom must be a physician, another a lawyer, and the third a judge or the clerk of a court of record, who decide the question of insanity and commit for treatment and custody. This method has, as have all the above, obvious objections. It would frequently be inconvenient to get together such a commission.

In the District of Columbia, Pennsylvania, New York, Massachusetts, Rhode Island, New Hampshire, Connecticut, Vermont, Tennessee, Texas, Georgia, and probably other States, the most desirable methods obtain. In all these States the law recognizes the fundamental necessity for medical decision as a basis. Dr. Stephen Smith, of New York, who has probably given the subject more attention than any other man in this country, says: "In the commitment of the insane on the decision of medical men alone, we have the highest development of this proceeding yet placed upon the statute book. The true nature of insanity is fully recognized and the insane are removed from the category of criminals, and placed among that class of sick persons requiring only medical care and treatment."

The New York and Massachusetts laws commend themselves very favorably to my mind. They require that two responsible and reputable practicing physicians, graduates of legally-chartered medical schools, permanent residents of the State, in no way connected with any hospital or other place for the insane, nor related by blood or marriage to the patient, shall examine, either jointly or separately, the person alleged to be insane, collect and record all attainable facts regarding individual and family history, symptoms at time of examination, give their opinion in writing regarding mental condition, and whether or not the patient is a fit subject for an insane hospital. This certificate is sworn to before any officer authorized to administer an oath, and is regarded as *prima facie* evidence of the insanity of the person named in it. It is then transmitted to the judge of the court of record of the county or corporation where the patient resides or may be, who certifies to the genuineness of the papers, and to the legal qualifications and good standing of the examining physicians. Each certificate must bear date a certain number of days, say five to fifteen, prior to any commitment, otherwise it is null and void. This is done in order to insure, if possible, the early treatment of the case. One chief feature of the law above enunciated is that the medical and judicial elements are both recognized. In New York the statute provides that the patient or the

patient's representative may have recourse to a trial by jury, should the physicians' certificate be unsatisfactory.

In Massachusetts and New York, and some other States, a patient may be admitted provisionally for a few days, upon the physicians' certificate alone, prior to its approval by a judge. "The recognition of the need of emergency commitment is, it may be observed, one of the advances of the last twenty years. Obviously, the commitment laws should be so framed as, while preserving the liberty of the subject, to admit of the prompt sequestration of the patient, if dangerous to himself or others, or if in a critical condition, such as the acute delirious mania in puerperal insanity." (Dr. C. E. Riggs.)

From the various excellent methods, which have proven so satisfactory in these several States above-named, and which have been approved by alienists and hospital managers generally, we would do well to formulate a code of procedure for the commitment of our insane, which, whatever its faults might be, would certainly be an improvement upon our present defective system.

Whatever revision is decided upon, there is one matter that cannot be too strongly emphasized, viz.: That regarding the confinement of insane persons in jails along with criminals, while awaiting admission to hospitals. Governor McKinney's recommendations on this point are timely. After one has been pronounced insane he should be sent to a hospital at the very earliest practicable moment, and, under no circumstances, sent to jail. If, however, it remains absolutely necessary to utilize the jails for the temporary detention of the insane, *a room exclusively for this purpose* should be provided, and the patient given every attention which a humanitarian spirit dictates.

I would suggest, as a substitute for section 1669 of the Code of 1887, the following:

Any person who suspects another in his county or corporation to be insane shall notify two physicians, in good standing, who shall, under penalty of the law, make, within forty-eight hours, a personal examination, either jointly or separately, of the alleged insane person, at his or her place of abode, and of all necessary witnesses, and certify their opinion regarding the said person's mental condition, and whether or not the said person needs treatment in a hospital for the insane. This certificate shall have been made and transmitted to the judge of a court of record in the county or corporation in which the patient resides, within ten days succeeding the examination and within thirty days of the time of admission to a hospital or some other place of treatment. The judge to whom the certificate is transmitted shall certify to the good character and qualifications of the signers, and of his approval of their verdict; and furthermore, he shall cause to be recorded in the clerk's office an attested copy of the certificate, and the original, or a copy thereof, to be sent to the superintendent of the State hospital in which it is designed to have the patient treated.

The certificate above provided shall be in form and substance as follows. (Much of this certificate is taken from the one used in New York State, and from the one proposed by Dr. Stephen Smith as a uniform certificate for all the States):

State of Virginia....., county of.....,
City or town of....., to wit:

We,, and,
residents of....., county of....., State
of....., being severally and duly sworn, do

severally certify, and each for himself certifies, with the exceptions herein noted, as follows:

I. I am a graduate of....., an incorporated medical college at.....in the State of.....; I am in the actual practice of medicine in.....; am a resident citizen of the State of.....; am in no way connected with any hospital for the insane; am not related by blood or by marriage to the patient named in this certificate.

II. I examined personally, on the.....day of....., a resident of the county of....., State of.....

III. I obtained the following information, which I believe to be correct:

1. Age....., sex....., color....., where born....., occupation....., habits....., civil condition....., number of children had....., number of abortions....., education.....reputed property of self, of husband, of parents (if patient is a minor)....., name and address of guardian, nearest friend, or relative....., name of persons who applied for this certificate.....

2. When did present attack of insanity begin?.....; was it gradual or sudden in its onset?.....; number and date and duration of previous attacks.....; if patient was ever an inmate of a hospital for the insane or poor-house, state when and where, and whether discharged recovered or otherwise.....

3. What are the present indications of insanity?.....; are the symptoms continuous or are they periodical?.....; if periodical, what length of time intervenes between the attacks?.....; does the derangement seem to increase, diminish or remain stationary?.....; is the patient violent, destructive, excited, depressed, homicidal, or suicidal?.....; does ...he suffer from insomnia, and to what extent?.....; is ...he filthy or cleanly in personal habits and dress?.....

4. What is the bodily condition of the patient?.....; has ...he had any serious injury or illness?.....; has ...he any acute or chronic disease, and what is its nature?.....: does her insanity seem to bear any relation to the catamenia or the climacteric?.....; is her menstrual function normal?.....

5. Is the patient subject to epilepsy, catalepsy, or fits of any kind? explain.....

6. Is the patient addicted to any immoral or vicious habits, and what are they?.....;

what are his habits as to the use of intoxicating liquors, tobacco, opium and other narcotics?.....

7. If any of the patient's family or near relatives have ever been insane, mentally or physically, or morally defective, state the fact and the degree of consanguinity, and whether paternal or maternal, the nature of the disease or defect:

8. What is the supposed cause of the patient's insanity?.....

9. Other facts in the personal and family history of the patient, known to or communicated to me by others, indicating insanity:

IV. As a result of my examination, I find and hereby certify to the fact that said is insane, and a proper person for care and treatment in an institution for the insane, as an insane person under the provisions of the statute.

I have formed the above opinion upon the following facts—viz:

1.
2.
3.
4.

V. That the answers to the questions contained in the foregoing statements are true, to the best of my knowledge, information, and belief.

..... M. D.

..... M. D.

Severally sworn and subscribed before me, this day of, 189...

I,, a judge of, which is a court of record of the State of, do certify that the foregoing medical certificate is genuine, and that the signers, Drs., are legally qualified physicians of good standing and repute, and that I approve the commitment of to a hospital for the insane.

Should the verdict of the physicians in any case be unsatisfactory, a "trial by jury" should be granted the person "suspected of insanity."

In conveying a female patient to a hospital for the insane, it should be required by law that a female attendant or the husband, brother or father, should, in every instance, accompany the patient. The reasons for this are obvious.

Some of the advantages of the method of commitment of the insane, which I propose, are as follows :

1. It recognizes the fundamental principle which should underlie all dealings with the insane, viz., that insanity, in any form whatever, is a disorder or disease of the human organism, which can be understood only by competent medical men.

2. It insures the earliest possible treatment, which is a very great advantage, for it is well known by experienced specialists that the chances of recovery from insanity is in inverse ratio to the duration of the disease.

3. It obviates undue publicity and red-tapeism, which are irritating to the patient and humiliating to the relatives and friends, and affords a quiet and speedy commitment to that special care and treatment so urgently demanded.

4. It has a financial advantage, first to those directly interested, in that proper treatment would obtain earlier, thereby enhancing chances of recovery and preventing, as far as possible, curable cases from becoming chronic ; secondly, to the State, in that the expense attached to the examination and commitment would be less than that of trial by jury or by magistrates.

5. It recognizes both medical and judicial sanction, and while giving the patient the best chances for restoration to health, it affords him ample protection against injustice, in that every possible safeguard is thrown around him to prevent illegal commitment or detention. There is, however, never that danger of incarceration of sane persons in insane hospitals, that sensationalists would have us believe. The statement of the Earl of Shaftesbury, for fifty years chairman of the English Commission in Lunacy, made before a committee of Parliament, in 1877, ought to satisfy any one on this point. Hear this distinguished authority : " I am ready enough to believe that when temptation gets hold of a man's heart, he is capable of doing anything. But I am happy to say Providence throws so many difficulties in the way of these conspiracies that I believe conspiracies in ninety-nine cases out of a hundred to be altogether impossible. The number of certificates that have passed through our office since 1859 amounts to more than one hundred and eighty-five thousand (185,000), and of all those certificates I do not think so many as half a dozen have been found defective. I am quite certain that out of the 185 000 there was not one who was not shut up upon good *prima facie* evidence that he ought to be under care and treatment."

And Dr. Blumer says on this phase of the subject : " No superintendent could have any motive to connive at an improper commitment, and, even assuming the possibility of a corrupt official at the head of an institution, any conspiracy would have to involve many others, both inside and outside of the institution."

THE SEPARATION OF THE ACUTE AND THE CHRONIC INSANE.

The able superintendent of one of our State hospitals has so thoroughly discussed Governor McKinney's message and the report of the special commission, composed of Drs. Parker, Wiley and McIlwaine, regarding the segregation of the chronic insane in " homes for the poor," that there remains little for me to say. His Excellency and the above named physicians seem to have a mistaken conception of the nature of insanity and of the requirements of the insane. They draw a faint line between the chronic insane, criminals and paupers, so far as concerns the medical attention that should be provided for these classes of defectives. He would put the chronic insane under the ban of pauperism and incurability. The question of the separate care of the chronic cases of insanity is not new, for it has been under discussion for many years, and has been studied by eminent specialists in this and

other lands. In almost every instance where separate institutions for the chronic and incurable insane have been established failure has marked the experiment. In 1890, the New York Legislature enacted "that all laws having for their object the division of the insane into so-called acute and chronic be repealed, and that all the insane be treated solely with reference to their curability." So the asylums for the chronic insane were converted into "mixed asylums." The law further provides that "cheap detached buildings be erected near the existing hospitals for the so called chronic insane," so that they may be readily transferred back to the acute or hospital department, whenever their condition demands it. This plan has been adopted, in a measure, at the hospital at Staunton. Segregation to this extent is admissible. The weight of authority is in favor of cottages, annexes or detached buildings on the grounds of the established institutions, in order that a more perfect classification can be maintained and better treatment insured. Said the lamented Gundry: "I have long thought that there should be in every institution some special department for the recent cases, and such others as are assimilated to them by their symptoms, who require more medical treatment, more nursing, and arrangements more nearly allied to those usual for ordinary sickness. In this direction should our energies be turned, and for them no expense should be spared necessary to effect the purpose."

Dr. Richard Derney, a distinguished American alienist, and for many years a physician at the great asylum at Kankakee, Ill., says: "I believe it to be true that if an asylum is to be an extensive institution, receiving from 600 to 1,000 patients, the detached wards or cottages are an advantage in classification, while the same number all under one roof suffer in proportion from too close contact and other disadvantages." Many other authorities have spoken in a similar strain regarding the amplification in every way of the curative work of hospitals for the insane. As many have protested against the absolute separation of the chronic cases in institutions specially for them, the American Medico-Psychological Association, the New York Commission in Lunacy, the late Dr Wilkins, of California, Dr. Macfarlane, Dr. Tuke, of England, and a large number of other eminent authorities have strongly opposed the plan, which has been suggested for Virginia. It is my opinion that a more important question than the separate provision for the chronic insane is that looking to the construction, at every State hospital, of detached cottages, designed especially for the recent cases of insanity. Such a hospital annex should be constructed, equipped and administered on the most liberal and scientific principles, having for its sole object the *cure of the insane*.

THE CRIMINAL INSANE.

The criminal insane demand a share of your attention. I will not attempt to offer any suggestion regarding this class, except to say that they should certainly be separated, at least in a measure, from the innocent insane. A separate ward at one of the hospitals for the white patients of this class, and a few rooms at the Central Hospital for the colored, would seem to answer the purpose. These wards or rooms should be made safe against escape by any who might be disposed to make an effort in that direction.

SYSTEM OF MANAGEMENT OF STATE HOSPITALS FOR THE INSANE.

After careful reflection and comparison with laws existing in other States, regulating the management of public hospitals for the insane, I am of the opinion that

little, if any, improvement could be made upon the system in Virginia. It has stood the test of time and experience, and, with slight modifications, has been adopted by other States. If defects in the management of any of our hospitals exist, it is not, I believe, the fault of the general system of State laws and regulations, but should be attributed to an improper administration of them. Let the respective institutions continue under the general supervision of a board of directors for each institution, etc.

STATE BOARD OF CHARITIES AND CORRECTION.

A State board of charities and correction, to serve without salary, receiving only their actual expenses, with *only advisory functions*, would do very well. Such a board should be composed of men interested in charity and reformatory, one or other of whom should visit, say once a year, all the State hospitals, the penitentiary, all the county and city almshouses and jails of the Commonwealth, and report any advisable improvements, reforms, etc., and co-operate with the other officers and authorities of these various institutions. Such a board could accomplish every good, and more, too, that could be accomplished by a "lunacy commission," and at the same time would not have the nearly half a million dollars of public money to expend, and a large patronage in the way of many officers and employees for the hospitals, to distribute, that are now very properly entrusted to thirty-six (nine directors for each of the four institutions) men, representing every section of the State. Boards of this description have been established in seventeen States, and are said to be doing very satisfactory work.

EPILEPTICS.

Of the epileptic insane, as well as the sane, I desire to make a few remarks. I should be derelict in my duty if I let this opportunity pass without putting in a plea for these unfortunate creatures. They are disturbing elements in any hospital for the insane. It is admitted by all asylum physicians that their paroxysms have a very unfavorable influence upon many other patients, and the epileptics, in turn, are injuriously affected by contact with the insane. This whole matter of State care for sane and insane epileptics I have considered in a paper, published in the *Virginia Medical Monthly* for September, 1894, and in a paper read before the recent meeting of the Medical Society of Virginia. I repeat what I said at the society meeting:

"The State care of epileptics is a subject worthy of the most serious and earnest thought, and is of the deepest interest to all the people. Whether this care should consist in a separate *hospital*, pure and simple, or a *colony on the plan I have outlined*, or whether special accommodation in the form of *detached buildings* should be provided at our State institutions, are questions for mature consideration. After years of experience and actual *operation*, it has become a recognized fact that the special requirements of epileptics are nowhere so well met as in the so-called farm colony. The prime objects of such a colony are to give each beneficiary the advantages of the most scientific medical treatment, the most humane custodial care, means of regular productive employment and facilities for acquiring an education or a trade. To accomplish these objects, palatial structures are unnecessary. Plain, inexpensive pavilions or cottages, natural and home-like to most of the inmates, shops and other buildings for various industries, a hospital for the sick and the infirm, halls or gymnasiums for recreation and amusement, chapels, school houses, etc., all

arranged on the village plan, and attached thereto a large farm, properly equipped, meet the requirements admirably. For those who are insane isolated buildings of a suitable character should be provided. In such an institution, the beneficiaries would not suffer the ignominy attached to the pauper class, for they would be in a degree producers and not absolutely dependent.

"Several States have taken steps to have their dependent epileptics, sane and insane, cared for in a special institution. The colony plan I propose is *feasible, economical and humane*. It has been tried elsewhere and demonstrated beyond dispute to be a practical success. Those who should reap the benefits of such an institution are: The epileptics now confined in the hospitals for the insane—200 in number. By doing this, sufficient room would be gained at the institutions to accommodate probably all the insane of the State who may be in need of care and treatment, at least, for a year or two; all the epileptics now in the county and city poorhouses, certainly as many as 200; dependent sane epileptics, each county and city to have at the colony a number of patients proportioned to its population; a limited number of pay patients, probably, who may be in pressing need of treatment; both white and colored epileptics, separate and distinct provision being made for each race."

I trust our Legislature will give this matter of separation provision for all dependent epileptics serious consideration, and adopt some measure looking to the relief of this abandoned class of defectives.

Respectfully,

WM. F. DREWRY.

RICHMOND, October 7th, 1895.

To the Senate and Legislative Committee:

GENTLEMEN:

In response to your kind invitation to submit a "short paper," based upon my report to the late Gov. McKinney, I desire to say that on March 4th, 1892, the Legislature of Virginia passed an act entitled an act appointing three physicians to visit all the lunatic asylums of the State, and enquire—

1st. "Into the present system of admitting patients into the lunatic asylums of the State," and

2nd. "Whether there are some patients that should not be confined therein."

The physicians appointed were Dr. Oscar Wiley, of Salem; Dr. R. D. McIlwaine, of Petersburg, and myself. Our report was made to Gov. McKinney at the last meeting of the Legislature. It was endorsed by him, and recommended to the favorable consideration of the General Assembly. To my surprise, no notice was taken of this report by any member of the Legislature; and finding the whole work of the Commissioners would fall to the ground, and no returns be made to the State for the \$1,000 expended in obtaining it, I got my friend, Col. R. E. Boykin, of the House, on the last days of the session, to offer and get passed a resolution appointing you gentlemen on this committee, now met under that resolution. We would therefore recommend that you counsel the next Legislature—

1st. To require all applicants for admission to the hospitals to go before some judge of the State, with the certificates of two physicians, in no way connected with the applicant.

2nd. That the Legislature appoint a committee of three or more members to reorganize the asylums by separating the chronic from the acute insane.

These recommendations are not original. In New York, where the best system

in the country probably obtains, two doctors certify before a judge as to the condition of the patient before being admitted, and for some years the chronic insane have been separated from the acute insane. (See Report of Commission on Lunacy for 1893, here submitted; also an elaborate report of Dr. Stephen Smith on the laws of different States on the subject of admitting patients.)

I beg to call your special attention to this part of the subject. Not only economy would be secured by separation, but the conditions of the patients, in the way of fresh air and sunshine, and light occupation would also be secured.

Many of these patients have been confined for five, ten, fifteen, or twenty years. Our first enquiry was to find out how many of this class were harmless, and had been so for the past five years. This was regarded as the best reason for their segregation. We found that about two-thirds of the whole number (2,044) were of this character.

In the hospital, in Staunton, of the 667 cases only 168 were acute or dangerous, requiring special medical treatment. We found five surgeons attending them, 36 patients to a doctor; this is not half work. The 499 chronic cases were not sick persons in the ordinary sense. For the past five years, and more, these people had not attempted to harm themselves or any one else. They had been treated for mental disease, but had not improved; and to have them specially treated longer with drugs would, it seems to us, be unwise. If drugs will cure a man at all, they will, in all probability, cure him in five years, if given systematically. Proper hygienic measures, such as warm clothing, pure fresh air, and moderate exercise, as before said, is all that can be done for these unfortunates. When the mind, like the body, from age or other defects of constitution, breaks down, a long course of drugs may do harm rather than good. This class are valetudinarians, like many people one sees on the streets. Much reflection since we made our report confirms us in the opinion that our recommendations are judicious, confirmed, as they are, by the laws of other States.

By the enlarged authority of the resolution, under which you are acting, I beg permission to bring another question before you. Inebriates are now sent to our insane hospitals, but there is doubt about the propriety of their admission. They remain too short a time to be cured. Of course a special law would have to be enacted for this purpose. Drunkenness, in its chronic form, is regarded by all sensible doctors as a disease, only to be cured by restraint and confinement, for years in some cases. A department in our State hospitals might be established that would, in part, be self-supporting. Many of these patients now go North and pay well for their care. At McBride, in Philadelphia, the charge is \$100 per month. Of course many would be charity cases.

About twenty-five years ago the Legislature granted a charter to an inebriate hospital. The only charter members that I now remember were the venerable Dr. Dame, of Danville, the late Dr. Gibson, D. D., of Petersburg, and the late Dr. Peterfield Trent, of this city. I was also on the board. We failed to carry out the charter for want of funds. The objection to sending inebriates to a lunatic asylum is manifest. It would blight the prospects of their descendants for generations. Into this department we recommend, also, that imbeciles be admitted, a class for which the State makes no provision. There must be in each of the one hundred counties of the State at least five of these unfortunates, half of them females. I have facts that would deeply move your hearts, had you time to hear them, of the unutterable misery of many mothers on account of their unfortunate daughters. Alas! who will guard and watch over them when death shall remove their sleepless, guardian mothers? The State hospital would be Heaven to them. I am pre-

pared to prove that their mother's chamber would not be a safer place for retreat.

We think it would be well to make Staunton the hospital for all acute cases. It is a splendid hospital in all its appointments, well located and well conducted. Williamsburg and Marion are also splendid institutions, and in these could be collected the chronic insane. If necessary, more ground could be secured for the purpose of farming on a large scale. While the chief weight of responsibility, with the honor, would be thrown upon Staunton, the relief from accountability and care, I should think, would be very welcome to Williamsburg and Marion. Cures of the chronic cases, while rare, would be highly gratifying and creditable. The commissioners were surprised at the remarkable bodily health of the 2,044 inmates in these hospitals. We reported only twenty in bed at the time of our visit. This was really an overestimate, as there were not more than ten. This speaks well for the management of all the hospitals.

For reasons not necessary to mention, we think the epileptics should be classed with the acute insane, and, therefore, sent to Staunton.

In some other States, notably New York, the insane hospitals are under a commission of three members, who unify their management and give their entire attention to these institutions. There are local boards, but with very limited powers. At present you can find different systems in our institutions. There should be but one system, and that the best. Should the Legislature determine to carry out the re-organization herein commended, then these three commissioners could have the authority to accomplish these important changes. Otherwise a special commission would have to be appointed for this purpose.

Respectfully,

W. W. PARKER.

SOUTHWESTERN STATE HOSPITAL,
MARION, VA., October 4th, 1895.

Dr. A. S. Priddy, Keysville, Va. :

MY DEAR SIR :

I will not be able to go to Richmond next week, but I hope that your committee may recommend a thorough overhauling of our lunacy laws (so-called) and remodel them in accordance with the more advanced views, as has been done in New York and Pennsylvania. The commitment in our State is almost a farce. It should be done by a probate judge in a court of record upon the sworn certificate of two physicians, as in Pennsylvania. I send marked copy of my last report giving my views as to separation of acute and chronic. I think we should have in Virginia, as nearly all the States have, a central lunacy commission, so as to systematize and harmonize the workings of all our State institutions. This, I think, would result in great good, giving uniform system of accounts and uniform statistical tables for all, and making ready comparison very easy and very valuable.

As to so few insane patients being in bed, as suggested in Dr. Parker's report, I think all who have ever had charge of the insane would realize the fact "that when an insane person is ready to go to bed, he is *about ready to die*."

This is true, I think, in most cases of insanity uncomplicated with bodily disease.

I hope your committee may have success in working out a good system of laws on this subject to recommend to the Legislature for their adoption.

Yours very truly,

RO. J. PRESTON.

P. S.—I have written Senator Lovenstein, giving him also my views hurriedly on these points, and if desired, one of you can present the same to the committee in better form than I have done.

CHATHAM HILL, September 30th, 1895.

Hon. A. S. Priddy and Joint Committee of Senate and House of Delegates, &c. :

GENTLEMEN :

In response to the resolution, passed at your meeting of September 10th, a copy of which was forwarded me, I submit the following, regretting that it is impossible for me to appear before your committee, as I would like to do :

The Governor's message, as I take it, refers more particularly to the method of admitting persons to hospitals, than to their care, treatment, and supervision. On this point much could be said, but I will only say this :

Under our present law any man may be taken before three ignorant magistrates, who consider the natural indignation at arrest as *prima facie* evidence of insanity, and, on the additional testimony of the most incompetent physician, committed as a lunatic. This has been taken advantage of, and our hospitals contain many old and infirm persons, regularly committed by interested relatives in order to avoid the expense and trouble of their keep, and to gain possession of their property. These people are old and helpless, but not fit subjects for our public institutions.

2. Hospitals are allowed to receive patients at the request of friends as "pay patients" without even the formality of a legal committal, provided only that their expenses are advanced.

Now, persons of intelligence can have recourse to *habens corpus* proceedings, but the majority of such cases are from the uneducated class, who, through ignorance, must submit.

As a remedy, I would suggest the following :

1. All persons admitted to our hospitals for the insane, whether public or pay patients, should be legally committed.

2. A commission of lunacy shall be composed of one magistrate and two physicians. These physicians shall be regularly qualified, shall have been in active practice not less than five years, and shall examine the patient, each in the absence of the other, and agree as to the person's insanity. On this testimony the magistrate may commit. It should be further provided that neither the magistrate nor physicians should be related to, or pecuniarily interested in the person examined.

3. Abolish the system of allowing pay patients, or else provide additional accommodation for such as desire and can pay for it.

Finally, I would, in the name of humanity, protest against the absolute exclusion of the most helpless and needy class of insane, the idiots, and the practical exclusion of the epileptics. The latter class are now excluded, because the law allows the superintendents to decide what cases they will admit, and naturally the least troublesome cases are preferred. So much for admissions and committals.

There has been some mention of the separation and segregation of "incurables." I would protest against such a term. Who says they are incurables? Instances are by no means rare where cures have resulted after fifteen, twenty and even thirty years of hospital treatment. A few years since, Illinois passed a law requiring the incurables to be sent to the almshouses. They were accordingly selected from her asylums and sent, when, lo, at the expiration of twelve months, five per cent. of the incurables were restored and returned to their homes useful citizens. A plain and pointed illustration. I would earnestly oppose such a separation. They are, or should be, already classified at our institutions, and such separation is ample. If separation be insisted upon, take the epileptics, the

inebriates, or the criminal insane, or all three; but the incurables, how will you find them?

If your committee has further powers and can report on the care and treatment of the insane, I beg leave to impress upon you the importance and advantage of a State board of lunacy. This is the most crying need of the hour, and such action would be a credit to the State, a boon to patients, a step towards progress, and a blessing from both a humane and pecuniary standpoint. The insane of our State are not properly cared for; how, I state in a paper which has been furnished you. Suffice it to say here that much, if not all, of this neglect, and these errors of omission and commission, are due to a lack of intelligent supervision and criticism. The local boards are unwieldy, expensive and incapable. Money in abundance is appropriated, but it is not properly applied and the patients suffer. Proper nursing is not furnished them, proper food denied, and scanty clothing the rule.

A State board of lunacy would accomplish these results:

1. Money appropriated by the State would be applied to its intended use.
2. Uniformity of reports and methods would be insured, and an impartial tribunal would report to the Governor and Legislature when and where help was really needed; and more important still, when not.
3. Supervision of patients outside of institutions.
4. Complaints of patients or their friends would have an impartial hearing.
5. Actual and competent inspection of hospitals and jails without previous notice.
6. Incompetent service done away with.
7. Abolition of political influence.

These results can only be reached by means of a State board of lunacy. Such a board should consist of three members. Two of these should consist of physicians whose experience qualifies them. The third should be a lawyer. They should be given adequate compensation. A secretary and treasurer should devote his whole time to the work and receive, say, \$1,500 per annum, with office expenses. The other two members could be paid an adequate per diem with actual travelling expenses when engaged in their official duties. This need entail no additional expense on the State, as it can be met in the following way: Let a levy of, say, \$4,000 be withheld from the annual appropriations of our four institutions *pro rata*. This will be ample to meet the expenses of the board. To compensate the institutions for this, require the board to publish the annual reports collectively, and reduce the local boards from nine members, as now, to three, requiring that these three shall reside within fifty miles of their respective institutions. The amount thus saved will more than compensate them for the amount withheld from their appropriations. These local board members should be appointed one annually and serve three years, as now. The State board should be appointed by the Governor, and serve during life or satisfactory service. The superintendents and officials of the institutions should be chosen by the local boards, subject also to the approval of the State board, and should likewise serve during life or good behavior and satisfactory service.

DUTIES OF STATE BOARD OF LUNACY.

1. To keep a record of every person legally committed as insane, whether in or out of institutions.
2. To inspect each institution officially not less than once annually. Such inspections to be thorough and without notice. At these visits they shall see each patient and every portion of the institution. They shall also visit or have author-

ity to have visited by a competent person, all persons legally committed outside of hospitals.

3. The annual reports of the institutions are to be submitted to them, and by them published collectively, together with the board's reports of its inspections and visitations and comments upon them. They shall also report what institutions are in need of funds and what ones have an excess. This report to be presented through the Governor to the Legislature.

4. The discharge, admission or furloughing of any patient must be sanctioned within ten days by the State board before becoming legal.

5. Complaints of patients or their friends must be presented to the State board for inquiry and decision.

6. This board should be authorized to confirm or reject any medical official elected to any State hospital, provided that such a rejection shall be on the ground of incompetency, and upon their decision to disapprove, the local board shall declare the position vacant, and proceed to elect another.

The above will, I hope, give you the idea I have in view.

The State board system is not an experiment, having been tried for years in a number of States, and from their laws and regulations, used as a guide, it would be comparatively easy to formulate a system embodying the ideas advanced above. To give a nut form and substance, the shell is as essential as the kernel, and in giving you only the kernel, I hope I may be pardoned for not entering more fully into detail. And I am sure that the result of your conference will be a benefit to the State, its institutions and its insane.

Regretting that it is impossible for me to accept your invitation to appear before you, I am, gentlemen,

Respectfully,

ELLIOTT T. BRADY, M. D.

MARION, VA., SEPTEMBER 24, 1895.

Mr. SOL. L. BLOOMBERG,

Secretary Joint Committee, etc., Richmond, Va.:

DEAR SIR:

In response to the request of your committee, I beg leave to submit the following relative to the insane and insane hospitals of the State:

In the outset, I trust it will not be improper for me to add that I am not unmindful of the fact that my views of this very important matter may possibly be regarded too great a departure from old customs, and if carried out would involve radical changes in the existing law governing the management of these institutions. But having had some official experience in this field of labor, and having given it much thought, and seeing, as I think I do, a growing tendency—increasing year by year—to throw upon the State Treasury the responsibility of supporting and caring for not only the really insane, but all who may be mentally deficient, simply *non compos mentis*, provided they can be brought within the statutory provisions and admitted to an asylum, I am constrained to speak as I do, and urge upon the Legislature to set to work at once and place all the eleemosynary institutions of the State on the best footing possible, to the end that the largest amount of good may be secured with the smallest outlay of money for the support of the indigent insane.

It is useless for us to descant upon the dictates of humanity and cite the State Legislature to the obligations she is under to the afflicted of this class, when con-

sidering the necessities of those already admitted under the plan "first come first served," and give no thought to the appeals of many equally necessitous who cannot be admitted because there is no room for their accommodation. The reports of the three asylums for white people in Virginia show that at the close of the fiscal year 1893, there were 130 patients, who, for this reason, could not be admitted. During the year 1894, 409 were admitted, and yet 143 applicants were still outside awaiting their turn. At the close of the fiscal year 1880, there were in two asylums for white people 789 patients; in 1894 (the Southwestern meanwhile having been erected), there were remaining in the wards 1511—an increase for this period, 1880 to 1894, of 661. It is quite clear that this constantly increasing demand will not, under the present management, be less in the years to come, and that it will involve larger expenditure of money for its support. As near as I can get it from reports before me, the appropriations for maintenance alone in 1880 for whites was \$100,000; for 1894, it was \$230,000. These figures do not include appropriations for new buildings or extraordinary repairs, or for those supported outside.

For these and other reasons, some of which will be made apparent hereafter, I will proceed to state the changes which, in my judgment, are worthy of most thoughtful consideration by your committee, and by the Legislature:

First. The primary and most important step in the management of this great public charity in Virginia, is the repeal of the existing law relative to separate boards of directors for each institution, and the establishment of a central board with such provisions as may be necessary to a thorough supervision of the conduct of all the asylums, and of all matters pertaining to the care of the indigent insane by the State. This board may be designated as the Board of Supervisors in Lunacy, or by any other appropriate title. In the State of Massachusetts it is called "State Board of Lunacy;" in New York, "State Commission in Lunacy;" in Pennsylvania, "Committee on Lunacy." In the latter State, this committee is a part of the Board of Public Charities.

In Virginia, this board should consist of not more than five members (three would probably be more efficient and certainly less expensive), with a competent secretary. They should be selected with especial reference to their fitness and ability and their willingness to do the work assigned them. They should be from different sections of the State, and required to visit each institution under their charge at least four times each year.

In addition to this, there should be appointed, upon the recommendation of the central board, an executive committee of three, to whom will be entrusted the immediate or direct management of the institution they are intended to serve. This committee should be required to make monthly or bi-weekly visits. They should reside reasonably near the institution, so that they could then meet promptly, and visitations and attention would not involve a large expenditure of money. The reports of superintendents and executive committees should be made to the central board, and with its own report transmitted through the Governor to the General Assembly. Salaries, if any, of both the central board and executive committee, should be fixed by the Legislature, and, with the expenses of both, should be paid out of the State Treasury direct, and not, as is now the case, left to be fixed by themselves and paid to themselves by themselves out of the amount appropriated for support.

The advantages claimed for this plan of a central board over the present, are—

(1) It is a well-known fact that small committees work better in business affairs than large ones. The four State hospitals have now in all thirty-six directors

Each institution has an executive committee appointed from the members of the board. These committees do nearly all the work of their respective boards. The remaining members take little or no part in the management—in fact, know little or nothing about it, and give it no thought. They draw per diem and mileage, however, and in that proportion reduce the amount appropriated for the maintenance of the afflicted under their charge. By reducing the number, you will increase their efficiency and save money to the State.

(2) In this way you will place all the hospitals of the State under one management, and therefore upon the same footing. It will insure uniformity in appropriations and expenditures, and a more equal distribution of benefits. Personal popularity or the advantageous relationship of the friends of one institution will not be used to the detriment of others.

(3) Another very important consideration will be gained by the systematic arrangement or unification of all reports and tabulated statements, statistical, financial or otherwise, so that when compiled by the central board, both comparative and general results will be shown. As the matter now stands, each institution adopts whatever system or plan it pleases, and with no reference to harmony with its co-laborers in the work. In this particular Virginia is far behind some of her sister States. Take, for instance, the reports on asylum matters of the State of New York or Massachusetts, and we can tell at a glance the amount of each item of expenditure—how much per capita for food, how much for clothing, for salaries and wages, medicine, etc.

The plan recently adopted by the State Committee in Lunacy in New York of requiring requisitions to be made monthly for support of the population in hospital, together with estimates of the cost thereof, as well as estimates for the cost of all repairs, improvements, etc., together with a detailed report of previous months expenditures, is worthy of thoughtful consideration by the Virginia Legislative Committee.

(4) On the score of economy a central board will, or ought to cost the State no more, if as much as the present plan. The aggregate cost of boards this year will amount in round numbers something like \$5,000—more, in fact, than is spent ordinarily by them for clothing for all the patients. Similar boards for the States above mentioned get no pay, only actual and necessary expenses, and these are paid out of the State Treasury on vouchers rendered.

If nothing more is done, the recompense to boards ought to be fixed by the Legislature, so also the salaries of superintendents, assistant physicians and of all salaried officers. All other State officers get stated salaries fixed by the Legislature, and no good reason exists why the same should not apply here as well; and no board should be allowed to erect new buildings or expensive permanent improvements without the sanction and direction of the Legislature.

Second. The care and maintenance of the indigent insane in Virginia having reached a state of such magnitude, both pecuniary and humane, it becomes necessary to exercise the closest scrutiny to prevent unjust discrimination between localities as regards taxation and the selection of the beneficiaries of this great public charity. To equalize both the cost and the benefits, the State should be laid off in districts, and, except with reference to the colored people, the indigent insane should be confined to their respective districts. This would involve less expense in transportation, and less finessing on the part of superintendents when they want the other fellow to take the more troublesome cases. Now and then it would be wise, perhaps, for certain reasons, to send a patient out of his district, but this could be done by special provision.

After this, then, so amend the law that counties and cities must pay at least a certain proportion of the expenses of their own citizens when committed to hospital for treatment or detention. This plan is in vogue in many States, and would in Virginia do more to prevent the over-crowding of her hospitals with chronic and incurables, and leave the well-equipped hospitals for their legitimate work of treating insane people, and not simply institutions for legal restraint, or what, in fact, they easily become—a sort of higher grade almshouse.

Reference to reports of our hospitals for the insane will show that a few cities, counties and towns send more than half the cases to hospitals. This does not always prove that they have a larger proportion of needy insane than others, but it does show that in many instances the difference between county and State support is well known and appreciated.

Third. In the matter of examination and commitment of lunatics for treatment, legal restraint and detention in hospital, I am not sure that I have much to say that can be relied upon as worthy of practical consideration. This has always been an unsettled and difficult question. To declare a party a lunatic and deprive him of all his civil rights, as Ex-Gov. McKinney says, is a serious matter. The simple commitment of the dangerous lunatic is less disturbing, but the period of his detention involves a great deal. In this class of cases, while the diagnosis may not be difficult in the outset, their detention in hospital may, and often does, secure a quiet condition of mind which leads to the conclusion even by those who have special knowledge and experience in such matters, that they are sufficiently restored to be discharged, when in truth the improvement is not permanent, and when at liberty again they become more violent and more dangerous than ever. The discharge of these patients to most superintendents is always a matter of grave concern. Still more important is the detention of the criminal insane.

While in the commitment of any case, in Virginia, the ultimate responsibility is with the examining boards of the different institutions, I think it would be better to carry out Ex-Gov. McKinney's suggestion, and have every commitment acted upon by a court of record. The county judge should sit in the case, and the Commonwealth's attorney conduct the trial. In many cases, especially the most excitable, and some that are feeble in body, the patient should be spared the injury likely to ensue from a personal appearance in court. To require every case to be present would cause serious damage, particularly in the case of females suffering from puerperal insanity. In every case, duplicate papers should be made up—one for the court and one to accompany the patient to the asylum or hospital—and these papers should contain a full and complete history of the case in all its aspects.

Notwithstanding the many criticisms of the present mode of commitment, by a commission of three magistrates, and oftentimes awkwardly drawn up commitment papers, it rarely occurs that the expert examining board of the institution to which the patient is admitted report a case "not insane," on admission. Out of total admission in 1894 of 409 patients, all but three were reported as insane, and these found their way into one hospital.

Fourth. I come now to the question of segregation, or the separation of the chronic from the acute cases, and their support by the State in different institutions. This plan for the care and maintenance of the indigent insane is not of recent origin. In some of the Northern and New England States, it has been in operation for some years, and in some of the thickly populated countries of Europe, especially in the treatment of epileptics, the plan is very common and successful.

A few years ago, when the insane population of Virginia was much smaller than it is now, and the accommodations in her asylums were sufficient for all applicants for admission, and when a much smaller appropriation was required for their support, there was no reason for this segregation, but now there is a great difference, and the necessity for the adoption of this or some plan of relief is made very apparent indeed. Within a quarter of a century, the insane population of the State, white and colored, has increased at least 200 per cent., and the cost for support as much or more perhaps. And to make the existence of this necessity more apparent still, we have but to refer to the reports of superintendents for a few past years, and we will find a standing complaint that they were over-crowded, and always gave expression to an earnest appeal for larger appropriations for support, and more extensive accommodations for the afflicted inmates.—e-special attention being called always to the chronic and incurables. This is not to be wondered at because, as a rule, these cases, when once admitted, are inmates for life. Now and then one is furloughed, another discharged "improved," and still another, for a time at least, finds some friend or relative who will take care of them for a while, but these are exceptions, they nearly always return and remain until the final discharge that falls as a common heritage to all of us.

So urgent did this necessity become, that the Legislature of 1887-8 appointed a commission composed of all the superintendents of asylums in the State. This matter of the chronic insane was made the subject of distinct inquiry, and the recommendation made by this commission was, that plain and inexpensive buildings should be erected and annexed, directly or indirectly, with the present insane asylums, where the quiet, incurable and stationary could be placed and kept. When the commission appointed by the Governor under an Act, approved March 4th, 1894, had made the visitation and inquiry they were authorized to make, and after consultation and exchange of views with the officials of the several institutions, they reported, unequivocally, that, in their judgment, one-half of the present inmates of the three white asylums were proper subjects for a separate institution where custodial care was most to be considered, and where they could have more liberty and sunshine, and where, by the labor of their own hands, they might contribute to their own support and comfort. Dr. Benj. Blackford, an intelligent superintendent, in his annual report (1889) said: "The accumulation of elderly and imbecile, as well as epileptic patients, known as the chronic insane, now steadily going on, tends to fill up available space to almost the entire exclusion of recent and hopeful cases." He then very earnestly invokes "additional legislation for the benefit of the insane poor throughout the State," and suggests, when they cannot be admitted to asylums and have no friends to care for them, that "the county authorities be required to have suitable and comfortable accommodations in the county almshouses, under the discipline of systematic organization as to cleanliness and other sanitary precautions, with a capable medical officer to take professional charge of them until they could be admitted into an asylum. This, he says, would prevent the overcrowding of the State institutions for the insane and yet add little to the county expenses."

Ex-Governor McKinney, in his message to the Legislature (1893), dwells at length on this question, and while recognizing the moral and legal responsibility of the State to provide sufficient accommodations for this unfortunate class of citizens, he is emphatic in his recommendations that this homeless, helpless, chronic and incurable class should "be transferred from the asylums for the insane to comfortable quarters, which should be called homes, not asylums."

Under all this pressure, can any one be surprised that the Legislature should

seek such information as will aid in the solution of a difficult problem? Because the question is difficult is the best reason why none of these reports and recommendations have, as far as I know, been taken up and seriously considered by the Legislature.

As to the practicality of the proposed plan, I have no doubt whatever. And why should there be any doubt? The commingling of violent with the harmless quiet insane surely affords little that is curative to either, or comfortable to both. Dr. John B. Chapin, of the Pennsylvania hospital for insane, Philadelphia, Pa., who has had an almost life-long experience in the management of insane people, in more than one State, believes the association of large numbers of acute and chronic cases to be a serious evil, and hence he advises that they should be kept in separate institutions. Dr. Thos. G. Morton, chairman of the committee on lunacy in Pennsylvania, in his address on the occasion of laying the corner-stone of an asylum near Wernersville, said: "I am fully convinced that the segregation of the two great classes of the insane, and their treatment in separate and distinct institutions, under separate and different management, rest upon a basis of sound public policy. It is both demanded by the progress of psychiatry and defended by experience and true economy." This asylum at Wernersville, Pa., was built and organized for chronic patients entirely. It has been in operation a little over one year. Dr. W. Brown Ewing, superintendent, writes me under date of September 19th, and says: "I think we have demonstrated that the chronic insane can be kept cheaper than the law grants to hospitals for the insane in this State, and at the same time *equally well*. * * * We have 530 acres of land. and depend upon the farm to help very materially in producing most or all of the supplies of that character, and, perhaps, leave us a margin to dispose of in the markets of Reading, and thus reduce our per capita as much as possible. * * * I get out nearly every day about 550 men and 195 women out of a population a few short of 800."

Dr. H. C. Evarts, superintendent of the New York city asylum for the insane, at Central Islip, wrote me under date May 11th, 1894, that: "There is no doubt that a large number might be kept, and at a minimum cost, on a good farm." He added, furthermore, that about 94 per cent. of his patients were engaged in some kind of useful occupation, and that they produced all the vegetables required for their own use and a surplus for another asylum of the department."

On the score of economy, no matter what may be said to the contrary by those who claim to have examined "the economical side of the question," the annual per capita cost under this plan ought to be reduced at least one-third. The commission of 1892 put the cost at about one-half of what it is at present, which may be too low, yet possibly the estimate is nearly correct. For instance, I have before me the report of 1894, of one of the Virginia asylums, and, after a most careful examination, I find for that year the per capita cost for—

Food, which includes the proceeds of farm and garden at very high prices, to be.....	\$41 60
Clothing and bedding.....	4 80
Medicine.....	2 87
	<hr/>
	\$49 35

Add for fuel and light, and this I know ought to be sufficient, because few families of ten or more spend over this amount per head, per annum.....\$15 00

Add for salaries and wages for attendants and officers..... 25 00

\$89 35

Now, I believe, this will cover the entire cost per head of keep for one year for at least 500 of the patients in the asylum for white people. Remember, that in this calculation, nothing has been deducted for the proceeds of the labor they are expected to perform. Put this at \$20.00, and we have the cost reduced to \$69.35, or several dollars less than as stated by this commission. But suppose we leave it at \$89.00, and admit that there other expenses not taken into the account, and the cost is \$100.00, and that the per capita cost for support in the asylums is not over \$160.00 per annum. On a population of 500, \$30,000.00 will be saved, or if not saved to the State, equal benefits to 300 more indigent insane will accrue, and 300 more of the needy will be housed, and fed and clothed, and the State treasury called upon for no more money for their maintenance than it is to-day.

But we are met here with the statement that this would be "putting an afflicted and unfortunate class of our fellow-citizens under the ban of *pauperism* and incurability." Why so? Their admission and residence in a charitable institution of the State, though it may be called a "Home," or "Colony," or "Retreat," provided they get that amount of wholesome food, warm raiment and kindly care they are entitled to, and the State is able to give, is just as dignified and helpful and as alleviating to the wants, mental and physical, to the homeless mind-wrecked citizens of the State, as it would be to be locked up in any one of her more imposing and expensively equipped hospitals. There would be this difference, I grant: Instead of hours spent within the narrow limits of the hospital ward, where a monotonous existence encourages mental and physical degeneration, there would be more of liberty and sunlight, more of that quiet refreshing rest that follows exercise in the open air, more of food and clothing and better physical health, upon which so much depends, when the mind is impaired and despondent. I verily believe, the next epoch in the treatment of insane people, the next advance in its improvement, will be on the line of employment, physical labor, such as will be suited and applicable to each individual case.

Again, instead of the jail, the average county almshouse, or even the uncongenial home, with its frets and worries, to many who could not be admitted to the already established hospitals, because there is no room, this would be a happy relief. The following paragraph, found in the report of the State Commission in Lunacy, New York, 1893, is so pertinent I cannot forbear to quote it in this connection: "In the first place, provision should have been made each year to meet the demand for increased accommodation due to the annual increase of the State's insane rather than that apartments and halls in existing buildings should be remodeled and adorned to a luxurious degree, as has been the case in some instances. It were better that all the dependent insane should be comfortably housed and cared for than that a majority should be given the benefit of the highest medical care and treatment and the rest left in the poorhouses in squalor, wretchedness and degradation."

Much more might be said in favor of the proposition to separate these two classes of patients and their maintenance by the State, but I will encroach no further upon the time of your committee. What I have said is with the firm conviction that this change is, or will soon be, a necessity, that it is practicable, economical and humane.

Very respectfully submitted,

JNO. S. APPERSON.

REPORT
OF THE
Special Joint Committee
TO
INVESTIGATE THE CHARGES PREFERRED AGAINST
THE DEAF, DUMB AND BLIND INSTITUTION
AT STAUNTON.

RICHMOND, VA., FEBRUARY 28, 1896.

To the General Assembly of Virginia :

On January —, 1896, the following joint resolution was adopted :

“Resolved by the House of Delegates, (the Senate concurring), That a committee of three on the part of the House and two on the part of the Senate be appointed to inquire into and report upon the charges preferred against the Institution for the Deaf, Dumb and Blind, by one John L. Randolph, of Norfolk, as published in the Richmond papers of the 18th and 19th insts.

That said committee shall begin its investigation immediately ; be empowered to sit during the session of the General Assembly ; to send for such persons and papers as it may need, and, if necessary, to visit the city of Staunton for the purposes of its investigation.”

On January 27th your committee commenced the investigation, in obedience to the above resolution, and now respectfully submits the following report with the evidence taken before the committee.

1. That the immoral conduct of Mr. — — — Yates in 1890, while a teacher of the Institute, with Miss Riggs, is sustained by the evidence.

Mr. ——— Yates left the Institute in 1892 and went to Arkansas, where he now resides.

2. The charge of immorality of Mr. Bear, one of the teachers in 1894, with Miss Hogwood, a pupil, is not sustained.

3. The improper use of whiskey by Mr. Humbert and Mr. McCambridge, now teachers in the Institute, is sustained.

4. Professor Euritt, one of the teachers now in the Institute, in years back, had

been a hard drinker, but the evidence is clear that he has reformed, and has not drank for about three years.

5. The charge of cruelty of teachers to pupils is not sustained by the evidence.

6. The evidence does not sustain the charge that Capt. Thomas Doyle is a hard drinker, but it is a fact that the pupils know that Captain Doyle does occasionally take a drink, and it seems to make a bad impression on the pupils.

As to the charge of Captain Doyle not being faithful and attentive to his duties as Principal, it is not sustained by the evidence. In this connection, the evidence warrants the conclusion, that not the slightest suspicion rests on Captain Doyle as to any immoral conduct toward the female pupils; but as soon as he heard of the Yates-Riggs matter, he at once made an investigation, and came to the conclusion that there was no foundation for the report. Then the Board of Visitors made an examination of the Yates-Riggs matter, and came to the same conclusion. Your committee will here state, that, in the investigation of the Yates-Riggs matter made by Captain Doyle and the Board of Visitors, the evidence adduced was different from that your committee now presents to the General Assembly on this point.

7. The financial management of the Institute, by both Principal and Board of Visitors, is decidedly good.

8. The evidence is conclusive, that there is bad feeling existing between some of the teachers and the Principal, and friction and want of harmony among the Board of Visitors, some of the teachers testifying that they could not recommend the school to parents having afflicted children, and one of the members of the Board testifying, also, that he could not patronize the school, and he would not recommend the same.

9. It is also true that, pending this investigation, one pupil has been taken away from this Institute by her parents.

10. The management of this Institution has materially improved within the past two years.

11. It is also in evidence that there has been a lack of harmony among the Board of Visitors since 1888. That these facts existing, what is the best to be done to cure the evils. After this long investigation and the findings aforesaid, your committee is of the opinion that the future usefulness of this Institution demands a thorough re-organization and recommends the adoption of the following resolution:

Resolved, That the Deaf, Dumb and Blind Institute be re-organized as provided in the bill accompanying, and made a part of this report.

J. N. STUBBS,
B. F. BUCHANAN,
HOWARD HATHAWAY,
S. H. WALKER,
C. H. HARRISON.

Senate Doc 14

REPORT

OF THE

BOARD OF VISITORS

OF

R. E. Lee Camp, No. 1, C. V. Soldiers' Home,

FOR THE

YEARS 1894 AND 1895.

GOVERNOR'S OFFICE,
RICHMOND, VA., *January 13th, 1896.*

To the General Assembly:

I herewith submit the report of the Board of Visitors of R. E. Lee Camp, No. 1, C. V. Soldiers' Home, for the years 1894 and 1895.

The founders of this institution have done a noble work, and they have rendered a service which only those appreciating the sacrifices, hardships and sufferings of the Confederate soldier would have undertaken. With a devotion to their unfortunate comrades, steadfast and unselfish, they have labored for more than eleven years to provide a comfortable resting place, with food and clothing, for those *who served in Virginia commands* and are now without means and physically unable to earn a support.

With great force the President of the Board refers to the contract of the Camp with the State. "The Home was bought, paid for and equipped by R. E. Lee Camp, No. 1, C. V. of Richmond, and for two years supported by their private funds." By act approved March 3rd, 1892, the State accepted the property from the Camp (possession to be given at the end of twenty-two years from that date), agreeing, in consideration of the transfer, to appropriate for the next twenty-two years annually the sum of \$150.00 for the support of each inmate of the Home, unless the number of inmates falls below fifty, in which event the sum of \$200.00 per capita is to be paid, the whole not to exceed \$30,000 in any one year.

In the judgment of the most astute business men, a very large proportion of the money advanced by the State for the entire period, if the maximum sum is reached

annually, will certainly be returned when the State comes into the possession of the property, so that the care and support of her dependent soldiers will not bear heavily upon Virginia, and may even prove to be a profitable investment.

From the establishment of the Home—December 1st, 1884—to the 31st day of December, 1895, there had been one thousand and two admissions from seventy-seven counties and fourteen cities of this State and twenty other States, and on the 31st day of December, 1895, there were two hundred and fifty-three on the rolls, and thirty-five applications on file awaiting vacancies.

In view of these facts, and particularly of the increasing appeals for admission that come up from every direction, in the interest of those who have a right to look to Virginia for help in their weakness and distress, the Board of Visitors of the Home ask at your hands an additional appropriation of \$16,000 this year and \$10,000 next year; \$6,000 of the appropriation of \$16,000 this year to be expended in the erection of more buildings. In the opinion of the President of the Board, the increased appropriation of \$10,000 will not be required for more than six years, for he thinks from the end of that time, in the course of nature, the number will decrease annually and the regular appropriation will be sufficient for the support of the Home.

Looking over the lists of the members of your Honorable Bodies, I find few who were not Confederate soldiers themselves, or who have not the blood of Confederate soldiers in their veins. I find none who will not, in my opinion, respond to the call for the fulfillment of Virginia's implied obligation, by providing, as far as possible, the means for the enlargement of the Home—this pleasant retreat for Virginia's dependent veterans—that those now outside of its precincts may be admitted, and the further means for their support when they enter.

I am sure you will all appreciate the feelings of a Confederate soldier, when, in order to keep body and soul united, he is compelled to beg from door to door, or go to a county or city poor-house. He may be in poverty and want, but the same proud spirit that led him to the cannon's mouth with unblanched cheek still lives, and it is too bad for the State he served so well when he was young, strong and vigorous, now that he is old, weak, broken in health, or suffering from wounds, and penniless, to crush that spirit and force him into the position of a beggar or pauper.

I feel that I need not appeal to you to strain every nerve to meet the righteous demands of these old soldiers for shelter, food and clothing, especially when the additional amount required this year, if levied upon the real and personal property of the Commonwealth, would not exceed three-tenths of one cent. on the hundred dollars, and only about one-fifth of one cent next year. If necessary, let us economize a little here and drop off a little there, that the urgent and unselfish request of the Board of Visitors of the Home may be granted. I know if this aid is extended, we will all feel better when your session closes, than we will if an adjournment comes without a favorable response to the pleadings of those who have a right to expect better treatment.

CHAS. T. O'FERRALL.

Chas. J. Smith

SENATE DOC. No. XV.

REPORT

OF THE

Joint Library Committee.

SENATE CHAMBER,
RICHMOND, VA., February 27, 1896.

To the General Assembly of Virginia:

The joint committee on the library would respectfully report that they have examined the accounts of Hon. Joseph T. Lawless, general librarian. They find his accounts of receipts and disbursements properly kept and sustained by proper vouchers.

They herewith submit the report of the librarian and that of Mr. John H. Moore on work done on the historical manuscripts.

They also submit the report of the sub-committee appointed to investigate the sale of certain worthless books.

Respectfully submitted,

H. L. MAYNARD,
Chairman Joint Library Committee.

To the Joint Library Committee:

As required by section 254 of the Code of 1887, I respectfully append hereto a report of receipts and disbursements, on account of the library fund, to January 1, 1896.

Since the last report the new library building has been completed and furnished with the most approved metal book-stacks, and the books removed thereto from the capitol. The work of classifying and arranging the large number of volumes was done under the supervision and direction of Mr. W. W. Scott, the efficient officer in charge of the library, who was assisted therein by Mr. A. M. Tyler, night assistant, and Mr. Watkins Norvell, special clerk. During the prosecution of this onerous work, which required about three months in its performance, there was a

necessary interruption of business, and the library, as directed by the joint committee of the last session of the General Assembly, was closed to the public.

To those acquainted with the congested state of the library in its old quarters, hundreds of volumes of which were placed on the floor for want of shelf-room, and the tediousness and difficulty attending the removal and classification of so large a number of books, the admirable manner in which the work has been performed will be highly commendatory. Under the direction of the State Board of Building Commissioners, which overlooked the erection and furnishing of the new building, various public libraries at the North were inspected with a view to securing the best and most approved devices for the storage and the cataloguing of books; as a result of which the board adopted the system of shelving known as Green's patent (being that in use in the new congressional library at Washington), and the method of cataloguing known as the card system.

It was found by the board that the appropriation at its disposal would not justify it in ordering the purchase of the card catalogue, the lowest bid for which was about \$500. As a consequence of this fact, no catalogue has yet been made. By reason of the scientific classification of the books and the familiarity with the system employed which the officers in charge enjoy, no inconvenience is experienced for the time by the absence of this essential adjunct to every library. However, the imperious necessity of providing one at the earliest practical moment is too patent to require argument and too important to admit of delay. To that end, therefore, I respectfully urge your committee to take action. In doing so you will have the co-operation of the State Board of Building Commissioners, who will in their report recommend this purchase, together with that of a show-case for the safer display of the relics in the library. The board was only deterred from procuring them because the appropriation at their command proved insufficient for the purpose.

In compliance with an order of the joint library committee, made two years ago, the library is being now kept open to the general public from 9 A. M. until 3 P. M., and from 7 P. M. until midnight. As empowered by the third section of an act approved March 8, 1894, I have appointed a night assistant to the acting librarian, whose salary is fixed and paid by the council of the city of Richmond, and who has charge of the library during the hours it is required to be kept open at night.

The work of preparing the Virginia historical manuscripts for publication continues along the same line followed by my predecessor in office, a report of which is annexed hereto.

A committee of the Virginia Historical Society has waited on me to recommend as the next publication in the calendar papers the records of the Virginia Company of London. The Historical Society possesses a copy of these records, which was made about 1730 for Sir John Randolph, and used by Stith in preparing his uncompleted History of Virginia. The original records of the company are believed to be lost, and no other unpublished manuscript containing as much valuable matter pertaining to the early history of Virginia is believed to exist. Its publication is urged by the Virginia Historical Society and by historical students, and in my judgment it should constitute the next volume of the calendar.

Finally, I beg leave to call your attention to a large number of government publications, in broken sets, now stored in a room on Main street for lack of accommodation in the library. Several months ago, upon the recommendation of the officer in charge of the library, approved by the respective chairman of the House and Senate committees on the library, these books were offered for sale at public

auction, by the pound, after diligent effort had been made to dispose of them privately to the bookstores, and proved fruitless.

Before their removal by the purchaser, an injunction to restrain such action was applied for by Mr. Chas. Poindexter, of Richmond, upon various grounds; among them, that the sale was without warrant of law and that the books themselves are of great value. Though the Attorney-General, whom I consulted before attempting to remove the books, appeared in court and defended the legality of the sale, it was deemed best by me to submit the question of the expediency and propriety of their disposition to your committee. In this view I was supported by the court.

The books are, accordingly, now stored at public expense; his Excellency Governor O'Ferrall, up to this time, paying the rent for such storage out of his contingent fund. He has notified me, however, that he no longer feels justified in so taxing this fund, and I therefore respectfully ask that your committee either order their sale or provide for their proper keeping.

Respectfully submitted,

J. T. LAWLESS,
S. of C. and G. L.

LIBRARY FUND.

Statement of Receipts and Expenditures, 1894-1895.

RECEIPTS.

Balance from last settlement.....	\$2,316 90
Return premium on insurance policies.....	627 70
Sales (exclusive of W. J. & Co. bal.).....	4,338 22
Sale \$6,000 Virginia 3 per cent. bonds.	4,282 90
Interest on library fund.....	90 00

DISBURSEMENTS.

Insurance.....	\$2,889 15	
Binding.....	125 15	
Portraits and relics.....	600 00	
Subscription.....	201 08	
Purchase.....	2,230 09	
Calendar.....	1,829 00	
Expense.....	1,210 44	
Commissions on sales and exchanges..	663 67	
Balance on hand, per C. B.....	1,907 14	
	<u>\$ 11,655 72</u>	<u>\$ 11,655 72</u>

Bills receivable, secured by bond..... \$1,000 00

REPORT ON HISTORICAL MANUSCRIPTS.

RICHMOND, VA., *December 31, 1895.*

*To the Honorable J. T. LAWLESS,
Secretary of the Commonwealth.*

SIR:

I have the honor to submit the following report of work done in copying the historical archives for publication in the Calendar of State Papers, since the date of the last report:

Beginning with the letter-book of Governor William H. Cabell, in 1807, there has been copied everything deemed of historical interest in the letter-books of Governors Tyler, Monroe, Smith, Randolph, Barbour, Nicholas, Preston, Randolph, Pleasant, Jr., Giles, Floyd, Tazewell, Robertson, Campbell, Gilmer, Patton, Ruth-erford, Gregory, McDowell and Smith.

I am now engaged on that of Governor John B. Floyd.

Number of manuscript pages, beginning with the year 1807, to 1848, both inclusive, 2,261.

Very respectfully,

JOHN H. MOORE, *Clerk.*

REPORT OF SUB-COMMITTEE ON SALE OF CERTAIN BOOKS.

To the Joint Library Committee:

The sub-committee to whom was referred the examination of the accounts of the Hon. Joseph T. Lawless, general librarian, would respectfully report that they have examined the accounts of the said librarian, and find that the account of his receipts and disbursements have been properly kept, and are sustained by all proper receipts and vouchers.

The report of the librarian, together with his receipts for his disbursements and expenditures, are herewith returned.

Your sub-committee, who, at the request of the librarian, were required to investigate and report the facts and circumstances connected with the sale, or proposed sale, at public auction, of certain books belonging to the State library, would further report that they have personally inspected the same—so far as it was practical to do so—and have examined witnesses and taken testimony in reference to their character.

Your committee ascertain and report that the said books, so exposed to sale as aforesaid, were a part of the contents of the second gallery of the old library; that by far the larger portion thereof are surplus annual reports of the State of Virginia, similar reports of other States, many volumes of old United States statutes at large, in paper back, and various government publications of like character, none of which had ever been deemed of sufficient value to be placed on the catalogue of the library.

That many of said books remained in the original sacks in which they had been

received, many of them stored in inaccessible places, and few of them prior to the proposed sale even accessible to examination or demand.

That upon the removal of the library to the new library building, the librarian was required by the legislative committee to whom was entrusted the duty of remodelling the old library, that the same might be used by the General Assembly for committee rooms, to remove said books. There being no shelf room in the new library, and no place for the storage of the same, the said librarian was forced to store the said books in the old City Hall at an expense of \$12.50 per month. That the said books were carefully gone over and examined by the librarian and assistant librarian, and after consultation with several members of the Library Committee it was decided to sell the said books, as had been done by a previous administration with a former surplus lot.

That the said librarian having unsuccessfully endeavored to dispose of the same at private sale, advertised them to be sold at public auction, and in addition notified dealers in this class of books of said sale and invited their attendance, in consequence of which several dealers did attend, among them Mr. Chas. E. Soule, of the Boston Book Company—an eminent authority and president of the largest book concern in this country—the limit of whose bid was sixty cents per hundred.

That the said books were sold at public auction and purchased by Mr. James C. Smith at sixty-five cents per hundred pounds. That the highest offer made privately was twenty-five cents per hundred.

That it was understood and agreed between the librarian and the purchaser at the time of the delivery of the books that the said librarian had a right to reserve and would reserve any and all books of value, or any he might desire if inadvertently left among the books so sold as aforesaid.

That in order that no books of value should be included in said sale or be delivered, the librarian employed Mr. W. G. Stanard, an expert bibliographer, to assist in examining said books as and when the same were delivered.

That only one load of books had been delivered—when proceedings were had by an application for an injunction to set aside the sale.

Your committee are of the opinion that the said books are of no value to the State, and that their sale was wise and expedient, and would recommend that it be proceeded with and confirmed in the discretion of the librarian.

That every precaution was taken by the said librarian to prevent the accidental sale of any book of value; and if proceeded with, no book of value will be included or disposed of.

That the legal proceedings to enjoin the librarian were unnecessary and unwarranted by the facts, and have subjected the State to a considerable expense by way of storage.

That the utmost good faith, care and diligence characterized the conduct of the librarian in making said sale, which sale was duly and properly made in accordance with law and the power and discretion vested in him, and with the advice and consent of the resident members of the Library Committee, and that every care and precaution was taken to protect the interest of the State.

Your committee, therefore, respectfully recommend the adoption of the following resolutions:

Resolved, 1. That the report of the secretary of the Commonwealth and general librarian, showing the receipts and disbursements for the year ended January 1, 1896, is fully sustained by vouchers, and shows a careful, business-like and wise administration of his office; and the same is hereby approved.

2. That the sale of the books was the exercise of a proper discretion on his part, and in the best interest of the library and the Commonwealth. And he is hereby authorized by this committee to complete such sale, or, in his discretion, to make a new one, if the purchaser now declines to comply with the terms of the former sale, under such conditions as may to him seem wise.

Respectfully submitted,

J. E. BOOKER,
R. E. BOYKIN,
DUVAL RADFORD,
Sub-Committee.

REPORT

ON

PETITIONS FILED BY CITIZENS OF GLOUCESTER AND OTHERS AS
THE AGRICULTURAL AND INDUSTRIAL SCHOOL, AT
CAPPAHOSIC, IN GLOUCESTER COUNTY.

To the General Assembly of Virginia:

The petition of the Board of Trustees of "the Gloucester Agricultural and Industrial School," located at Cappahosic, in Gloucester county, and the petitions of the citizens of Gloucester county, asking a favorable consideration of the claims of said school, have been placed before the committee on public institutions and education in the Senate, and committee on schools and colleges of the House of Delegates. The above-named petitions have been considered, and the principal of the school and president of the board of trustees have been heard, and the above-named committees submit a joint report.

We have heard with pleasure of the growth of the above-named school in so short a time; the wonderful improvements and advantages it now offers to the colored children of Virginia—not only the educational, but the agricultural and industrial advantages. This school asks for State aid. Under our constitution and laws (made in pursuance of the constitution), the State cannot make an appropriation to a private school. This is a private corporation, chartered by the circuit court of Gloucester. We can but say, we are impressed with the belief that the school is doing a good work, and pecuniary aid from any source would be properly managed, and would be aiding in a laudable enterprise for the improvement and training and educating the colored children of our State.

Respectfully submitted,

J. N. STUBBS,

Chairman Senate Committee Public Institutions and Education.

J. E. BOOKER,

House Committee Schools and Colleges.

March 2, 1896.

